

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 BIOINDUSTRY DAY *

[M13-254]

WHEREAS, Arizonans have come together over the last decade to build private and university research centers that are exploring new ways to improve health, find new energy sources, create new industrial materials and uncover agricultural solutions that can feed a hungry planet; and

WHEREAS, the work of these researchers is leading to new discoveries that have been embraced by Arizona entrepreneurs and the investors who support them; and

WHEREAS, researchers, entrepreneurs and investors from across Arizona are working cooperatively to develop new products, services, and companies that translate discoveries into commercial applications that can be delivered for the benefit of Arizonans and the world; and

WHEREAS, on October 10, 2013, the Arizona Bioindustry Association will assemble this vibrant community to celebrate the achievements of its members and to begin a new decade of discovery, development and delivery of life science innovations in Arizona.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim October 10, 2013 as

* ARIZONA BIOINDUSTRY 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 August 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

* ARIZONA PHARMACIST MONTH *

[M13-255]

WHEREAS, pharmacy is one of the oldest of the health professions concerned with the health and well-being of all people; and

WHEREAS, today there are over 270,000 pharmacists licensed in the United States providing services to assure the rational and safe use of all medications as an alternative to more expensive medical procedures, which is becoming a major force in moderating overall health care costs; and

WHEREAS, today's powerful medications require greater attention to the manner in which they are used by different patient populations – both clinically and demographically, and it is important that all users of prescription and non-prescription medications, or their caregivers, be knowledgeable about and share responsibility for their own drug therapy; and

WHEREAS, pharmacists are specifically educated with a focus and level of expertise on medication therapy, and are ideally suited to work collaboratively with other health care providers and patients to improve pharmaceutical use and out-

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

comes by providing services through medication therapy; and

WHEREAS, pharmacists provide both expertise and accessibility which are crucial to patients fully optimizing access to medications that are not self-administered such as, but not limited to immunizations; and

WHEREAS, pharmacists are best positioned to be the health care professionals to help ensure patients are adherent to their medications, and provide patient care that ensures optimal medication therapy outcomes; and

WHEREAS, the American Pharmacists Association and the Arizona Pharmacy Association have declared October as American Pharmacist Month with the theme "Know Your Pharmacist – Know Your Medicine."

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

*** ARIZONA PHARMACIST MONTH ***

and urge all our citizens to acknowledge the valuable services of pharmacists who provide safe, affordable, and beneficial pharmaceutical care services and products to all citizens.

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 August 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

*** DIVERSITY EMPLOYMENT DAY ***

[M13-256]

WHEREAS, a diverse workplace and "Getting America Back to Work" is an economic necessity; and

WHEREAS, the success of a company in the 21st century depends on its ability to maintain a workforce that mirrors the diverse community it serves; and

WHEREAS, the Diversity Employment Day Career Fair will bring together the State's major employers with thousands of qualified diversity professionals; and

WHEREAS, the Diversity Employment Day Career Fair will be held at the Sheraton Phoenix Downtown Hotel in Phoenix, Arizona on September 19, 2013; and

WHEREAS, the Diversity Employment Day Career Fair will offer employment opportunities and career guidance for professionals in accounting, administration, healthcare, hardware and software engineering, finance, information technology, law enforcement, management, marketing, sales, network, data and telecommunications.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 19, 2013 as

*** DIVERSITY EMPLOYMENT 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

Governor's Executive Orders/Proclamations

DONE at the Capitol in Phoenix on this twenty-eighth day of August 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

*** LIFE INSURANCE AWARENESS MONTH ***

[M13-257]

WHEREAS, life insurance owned by individuals and businesses provides much needed income to spouses and families who have lost loved ones whose income they relied upon for sustenance and economic well-being; and

WHEREAS, life insurance tools such as wealth transfer, estate tax equity and estate planning help provide economic stability and security for families throughout our great State; and

WHEREAS, according to the Life Insurance Marketing and Research Association (LIMRA) study, nearly 95 million Americans lack life insurance coverage and that widows and widowers had to make difficult financial adjustments after loved ones died, including having to work additional jobs or longer hours, borrow money from friends and family, withdraw money from savings and investment accounts, or move to smaller, less expensive housing; and

WHEREAS, the Life and Health Insurance Foundation for Education (LIFE), the National Association of Insurance and Financial Advisors (NAIFA), and a coalition representing hundreds of leading life insurance companies and organizations have designated September as "Life Insurance Awareness Month" with the goal to make consumers more aware of their life insurance needs, encourage them to seek professional advice, and take the actions necessary to achieve the financial security of their loved ones.

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

*** LIFE INSURANCE AWARENESS 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
GOVERNOR

DONE at the Capitol in Phoenix on this twenty-eighth day of August 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

*** LIGHTS ON AFTERSCHOOL WEEK ***

[M13-258]

WHEREAS, quality afterschool programs provide safe and fun learning environments to help children and youth develop their social, emotional, physical, and academic skills; and

WHEREAS, afterschool programs contribute to stronger communities by involving parents, business leaders, and adult volunteers in the lives of our young people, thereby promoting positive relationships among children, youth, families, and adults; and

WHEREAS, more than 15 million children across the country are left home alone after school; and

WHEREAS, *Lights On Afterschool*, a national celebration of afterschool programs, promotes the importance of quality afterschool programs in the lives of children and youth, their families and their communities.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim October 14-18, 2013 as

*** LIGHTS ON AFTERSCHOOL WEEK ***

and encourage Arizonans to engage in activities that ensure the lights stay on and the doors stay open for Arizona children after school.

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 August 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

*** PUBLIC LANDS DAY ***

[M13-269]

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

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, local and state officials, business leaders, youth and adults; and

WHEREAS, recreation opportunities offered by public lands help families and individuals lead an active lifestyle and reduce the incidence of childhood obesity; and

WHEREAS, land conservation efforts improve access to public lands for urban residents and work to break down the barriers that prevent Americans from actively utilizing their public lands; and

WHEREAS, a collaboration among state and local residents, 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, now celebrating its 20th Anniversary, is coordinated by the National Environmental Education Foundation along with federal agency partners including the Bureau of Land Management, the U.S. Department of Defense, the U.S. Environmental Protection Agency, the National Park Service, U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, and the U.S. 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 28, 2013 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 tenth day of September in the year Two Thousand and Thirteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

Governor's Executive Orders/Proclamations

ATTEST:
Ken Bennett
Secretary of State

* RETT SYNDROME AWARENESS MONTH *

[M13-259]

WHEREAS, Rett Syndrome is a devastating neurodevelopmental disorder caused by a mutation of the MECP2 gene that mainly affects females; and

WHEREAS, every two hours in the world, a girl is born with Rett Syndrome, but its symptoms usually do not appear until the child is 6 to 18 months of age; and

WHEREAS, this disorder affects families worldwide and does not discriminate as to race, color or creed, and it has no boundaries; and

WHEREAS, girls are generally born healthy, then they begin to show signs of regression such as losing their ability to speak (hence the name "Silent Angels") and walk; performing basic motor skills; and developing seizures and scoliosis; and

WHEREAS, apraxia is one of the symptoms, where there is an inability to carry out purposeful movement; and

WHEREAS, dedicated scientists and researchers from around the United States, as well as the world, are working hard to find treatments now in advance to finding a cure, and are on the brink of finding suitable treatments to help with certain symptoms of this disorder; and

WHEREAS, public awareness of Rett Syndrome is extended to the medical community, therapists, teachers, caregivers, and the general public, and will continue until there is a world with no Rett.

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

* RETT SYNDROME AWARENESS 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
GOVERNOR

DONE at the Capitol in Phoenix on this twenty-eighth day of August 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

* YOUTH SUICIDE PREVENTION AWARENESS WEEK *

[M13-270]

WHEREAS, Arizona ranks 11th in the nation for suicides among young adults; and

WHEREAS, according to the latest data available, it is estimated an Arizona youth dies by suicide every six days; and

WHEREAS, in 2012, suicide was the second leading cause of death for Arizona adolescents ages 15 to 19; and

WHEREAS, among young adults ages 15 to 24 years old, there are approximately 100-200 attempts for every suicide; and

WHEREAS, Arizona's youth report attempting suicide at a rate higher than the national average; and

WHEREAS, several organizations, including the Arizona Department of Health Services, Teen Lifeline, A New Leaf, Arizona State University College of Nursing, Banner Health Care, Community Bridges, Crisis Response Network, La Frontera-EMPACT Suicide Prevention Center, 1in10, and Tumbleweed/SafePlace conduct outreach and awareness activities to explain the higher incidence of youth suicide at the beginning of the school year, and highlight prevention and support services that are available.

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

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 8 – 14, 2013 as

* **YOUTH SUICIDE PREVENTION AWARENESS WEEK** *

and urge Arizona citizens to join together as a community to support youth and teens, and learn the signs and how to respond if you suspect someone may be depressed, threatening suicide or suicidal.

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 tenth day of September 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 2013-06
Continuity of Operations and Continuity of Government Planning
(Amends and Supersedes Executive Order 2003-05)

[M13-262]

WHEREAS, emergencies and disasters can interrupt government functions and hinder the ability of State agencies to deliver essential services to the people of Arizona; and

WHEREAS, the security and well-being of the people of Arizona depend on the government's ability to provide leadership and essential government services during emergencies and disasters; and

WHEREAS, the State of Arizona must be prepared to sustain and restore government in a timely and effective manner; and

WHEREAS, effective continuity of operations planning will enable an agency to restore essential functions and essential services to the public; and

WHEREAS, effective continuity of government planning will preserve State leadership and enable it to maintain direction and control of the State; and

WHEREAS, it is imperative that all State agencies have a viable Continuity of Operations Plan and that State government has a viable Continuity of Government Plan; 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 the laws of this State, do hereby direct as follows:

1. The Department of Emergency and Military Affairs (DEMA) shall be the lead agency in the Continuity of Operations and Continuity of Government planning efforts for the State of Arizona.
2. DEMA shall develop a program to guide and assist State agencies in the development of their Continuity of Operations Plans.
3. Each State Agency's Continuity of Operations Plan shall be developed in accordance with guidance from DEMA.
4. Each State Agency shall submit an updated Continuity of Operations Plan to DEMA on an annual basis.
5. DEMA shall seek input from the Legislative and Judicial branches and ensure the Continuity of Government Plan integrates the needs of the Executive, Legislative, and Judicial branches.
6. DEMA shall submit an updated Continuity of Government Plan to the Governor's Office on an annual basis.

This Executive Order amends and supersedes Executive Order 2003-05.

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

Governor's Executive Orders/Proclamations

DONE at the Capitol in Phoenix, on this 6th day of September in the year Two Thousand 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