

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, Proclamations of General Applicability, and ceremonial dedications 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 GEAR UP WEEK ***

[M13-285]

WHEREAS, Arizona is dedicated to helping every student graduate from high school prepared to succeed in college and the workforce; and

WHEREAS, the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) is a program designed to increase the number of high school graduates prepared for college and careers; and

WHEREAS, GEAR UP focuses on students from underserved communities who might be the first person in their family to enter and succeed in postsecondary education; and

WHEREAS, Arizona's GEAR UP schools provide many proven strategies for increasing high school graduation and college readiness; and

WHEREAS, Arizona GEAR UP through 2019 will continue the successful GEAR UP cohort model implemented over the past decade and adds the Middle Grade Initiative which continues the EXPLORE Program that will significantly improve the college and career readiness of the State's middle school students; and

WHEREAS, thousands of Arizona's students have succeeded in achieving the dream of going to college as a result of GEAR UP grants awarded in Arizona since 1999.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 23 – 27, 2013 as

*** ARIZONA GEAR UP 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 twentieth 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

*** ARIZONA INFECTION PREVENTION WEEK ***

[M13-286]

WHEREAS, healthcare-associated and other infections remain a significant cause of morbidity and mortality for Arizona residents; and

WHEREAS, healthcare-associated and other infections can cause illness in many settings where the public receives care; and

WHEREAS, healthcare-associated infections increase healthcare costs for Arizona consumers and healthcare systems; and

WHEREAS, knowledge exists that can help healthcare providers and persons receiving care to prevent many healthcare-associated infections; and

WHEREAS, through educational campaigns and directed interventions, the Arizona Healthcare-Associated Infections Advisory Committee, the Arizona Department of Health Services, and Grand Canyon Chapter of the Association for Professionals in Infection Control and Epidemiology, in conjunction with Arizona healthcare facilities and organizations, actively work to reduce healthcare-associated infections in Arizona.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim October 20 – 26, 2013 as

*** ARIZONA INFECTION PREVENTION 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 twelfth 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

*** CHILD HEALTH DAY ***

[M13-287]

WHEREAS, children are Arizona's most cherished resource and each of us whether a parent, grandparent, aunt, uncle or sibling share an obligation to ensure the health and well-being of our children, and every child needs a trusting bond with a loving parent or adult; and

WHEREAS, to reduce infant mortality and provide a healthy beginning in life, no baby should be voluntarily induced before 39 weeks of pregnancy; and

WHEREAS, children grow with proper nutrition beginning with breastfeeding and continuing throughout life with access to wholesome, balanced food to reduce obesity and maintain a proper weight; and

WHEREAS, all children should have adequate health and dental care and receive the full set of immunizations, and adults who spend time with children should be voluntarily vaccinated for pertussis; and

WHEREAS, newborn and maternal health will be improved through elimination of abuse of alcohol, tobacco or illegal drugs, and academic achievement can be improved with information for parents about children's learning and development beginning at birth; and

WHEREAS, every home in Arizona should be free of hazards that may cause childhood injuries, learn proper installation of child seats, and practice safe sleep practices where babies are placed on their backs in their crib for the first six months of life; and

WHEREAS, no child should live in a home where there is domestic violence, child maltreatment or neglect, and every child should live in a safe neighborhood with opportunities for and access to healthy emotional, physical and spiritual expression, and

WHEREAS, all children should be screened early and those with special needs who might need extra help because of a medical, emotional, or learning problem are given the opportunity to reach their full potential; and

WHEREAS, Child Health Day was approved by Congress on May 18, 1928 as the first Monday in October each year.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim October 7, 2013 as

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*** CHILD HEALTH DAY ***

and call upon families, health and development professionals, faith-based and community organizations, and all levels of government to help ensure Arizona's children stay healthy.

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 twelfth 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

*** COPPER TOWN DAYS ***

[M13-288]

WHEREAS, Arizona's mining industry contributes approximately \$4.6 billion to Arizona's economy and provides an estimated 49,800 jobs to Arizona residents and therefore is an important contributor to our state's economy; and

WHEREAS, the community bonds that grew out of the legions of men and women who toiled in open pits, underground and in the smelters of the mines along the copper corridor created extended family ties and a culture that provided for economic security and a quality of life for rural residents in which children could thrive; and

WHEREAS, a common goal and desire to promote rebirth, economic development and revitalization of these once bustling communities is shared by the first residents and their descendants to the newest members of our towns; and

WHEREAS, celebrating the work and lifelong friendships that were forged over decades by tens of thousands of people can serve as an example of the great accomplishments and achievements communities can enjoy when a spirit of civic pride, cooperation, and resiliency is encouraged, supported and honored.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby designate October 5, 2013 as the fifth annual

*** COPPER TOWN DAYS ***

event celebrating the camaraderie, fellowship, brotherhood and history that honors the work of past and present miners who have and continue to play an important role in supplying critical and strategic minerals capable of meeting our nation's manufacturing and national security needs.

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 twentieth 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

*** DISABILITY EMPLOYMENT AWARENESS MONTH ***

[M13-289]

WHEREAS, since 1945, the United States has recognized the importance of offering employment to persons with disabilities and celebrating efforts annually; and

WHEREAS, National Disability Employment Awareness is celebrated in October of each year to raise awareness about disability employment issues and celebrate the many and varied contributions of America's workers with disabilities; and

WHEREAS, current data shows that hiring persons with developmental disabilities in Arizona benefits employers by building a diverse workforce while offering employment to persons with disabilities who in turn are proficient, productive and efficient; and

WHEREAS, Arizona employers who have recognized the significant value in hiring employees with disabilities are not only providing competitive wages and benefits, but are also helping the employee to become a full and active member of the community.

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

*** DISABILITY EMPLOYMENT 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
G O V E R N O R

DONE at the Capitol in Phoenix on this twelfth 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 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

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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