

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 DIABETES AWARENESS MONTH *

[M13-344]

WHEREAS, in the United States, nearly 26 million people, including approximately 500,000 children and adults in Arizona, have diabetes, a serious disease with potentially life-threatening complications such as heart disease, stroke, blindness, kidney disease and amputation; and

WHEREAS, an additional 79 million people in the United States are at risk for developing Type 2 Diabetes; and

WHEREAS, more than one-third of people with diabetes do not know they have the disease, and adults under the age of 40 are the fastest growing group diagnosed with this disease; and

WHEREAS, recent estimates project that as many as one in three American adults will have diabetes in 2050 if current trends continue; and

WHEREAS, the most common form of diabetes can be delayed by consistent physical activity and weight management; and

WHEREAS, education and regular check-ups can help people with diabetes to lower their risks for complications and cardiac disease; and

WHEREAS, an increase in community awareness of the seriousness of diabetes may stimulate public action in increasing research toward a cure, inspire people to take better control of their disease and live a healthier and longer life.

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

* ARIZONA DIABETES AWARENESS MONTH *

and, I further encourage all citizens to recognize Arizona Diabetes Awareness Month and to be part of the American Diabetes Association's Stop Diabetes movement to confront, fight and most importantly, change the future of this deadly disease.

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 eighteenth day of November 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

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*** DRIVE SAFER SUNDAY ***

[M13-343]

WHEREAS, more than 32,000 people are killed each year in crashes on U.S. highways and roadways; in 2012, 821 people were killed on Arizona highways and roadways; and

WHEREAS, many of these fatal car crashes can be avoided by simply exercising patience, caution and awareness on the roads; and

WHEREAS, drivers should prepare themselves for the unpredictable behaviors other drivers, disabled vehicles, spilled cargo, adverse weather conditions and many other potential dangers that they may encounter on roadways; and

WHEREAS, it is always important for motorists to focus on driving, eliminate distractions, maintain safe speeds and drive defensively to avoid preventable accidents. Staying focused on driving allows a motorist to react quickly and correctly in any situation; and

WHEREAS, many individuals and organizations in Arizona are working to increase awareness of the need for driver safety; and

WHEREAS, the Sunday after Thanksgiving is one of the busiest highway travel days of the year; and

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim December 1, 2013 as

*** DRIVE SAFER SUNDAY ***

and, I further encourage citizens to focus on driving more safely throughout Arizona and across other states.

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 sixth day of November 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

*** GEOGRAPHY AWARENESS WEEK ***

[M13-345]

WHEREAS, the week of November 17 – 23, 2013 is designated as Geography Awareness Week; and

WHEREAS, the world is increasingly interconnected and interdependent, yet too many students lack understanding of the world's geography within and beyond our country's borders; and

WHEREAS, Geography Awareness Week promotes geographic literacy and education in our nation's schools and communities, which is an essential part of a 21st century education, and has been a congressionally-mandated week since 1987; and

WHEREAS, teachers, students, and communities across Arizona will gain further understanding about how geography enables us all to be intrepid explorers in our own way by using resources developed by the National Geographic Society and other committed organizations during Geography Awareness Week and throughout the school year.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim November 17 – 23, 2013 as

*** GEOGRAPHY AWARENESS WEEK ***

and, I further encourage all citizens to participate in this special observance with students, sharing in their geographic

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research and academic achievement.

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 eighteenth day of November 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

* **THANKSGIVING DAY** *

[M13-346]

WHEREAS, President George Washington, at the request of Congress, proclaimed the first national Thanksgiving Day, November 26, 1789, as “a day of public thanksgiving and prayer to be observed by acknowledging with grateful hearts the many signal favors of Almighty God”; and

WHEREAS, President Abraham Lincoln, in 1863, proclaimed the last Thursday of November as the annual date for the national Thanksgiving Day; and

WHEREAS, on December 26, 1941, President Franklin Roosevelt signed a joint resolution of Congress changing the national Thanksgiving Day from the last Thursday in November to the fourth Thursday.

WHEREAS, the State of Arizona designated its motto as *Ditat Deus* - God Enriches, which acknowledges the blessings of God; and

WHEREAS, on Thanksgiving Day, Arizonans and all Americans come together to enjoy the fellowship of family and friends with a feast that symbolizes the many blessings in our lives; and

WHEREAS, Thanksgiving is a time to gather in a spirit of gratitude with one another, and it is also an opportunity to serve others and to share our prosperities with those in need; and

WHEREAS, as Arizonans, we pause to consider our good fortune as American citizens and residents of this great State, and we are mindful of the heroic men and women, and their families, serving in our Armed Forces, especially those serving abroad.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do recognize and celebrate November 28, 2013, as

* **THANKSGIVING DAY** *

and, I further encourage all citizens to pray or reflect and give thanks for the rich blessings of our State and our 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 eighteenth day of November 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.

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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