

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 DAIRY MONTH *

[M14-150]

WHEREAS, the dairy industry constitutes a major segment of the Arizona economy, creating approximately \$5 billion of annual economic impact in the state; and

WHEREAS, in America, 99 percent of dairy farms are family-owned and operated, and those dairy farmers work hard every day to provide safe, wholesome and nutritious milk to the public, while also caring for their animals and the land as they grow their businesses; and

WHEREAS, the dairy industry not only dairy producers and their families, but also the employees and growers of feed crops, educators, quality specialists, equipment manufacturers and distributors, veterinarians, scientists, processors, shippers, marketers and retailers who are all vital to the well-being and quality of life of the State of Arizona; and

WHEREAS, Arizona agriculture's total economic impact is \$12.4 billion, of which approximately \$5 billion is from the dairy industry, and the Arizona dairy industry ranks 12th in the United States at 4.5 billion pounds of milk production a year, and provides the public with wholesome commodities such as milk, cheese and cream; and

WHEREAS, the month of June not only means the arrival of summer, but also the observance of Arizona Dairy Month, which started in 1937 as a promotion to help distribute extra milk when cows started on pasture in the warm summer months; and

WHEREAS, the designation of June as Arizona Dairy Month helps to promote and spread the word about the goodness of dairy products and how leading *Milk Life* can boost the power and potential of every day because *Milk Life* means wringing every last drop out of every single moment, and represents a way of living where milk helps power people to be their best.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim June 2014 as

* ARIZONA DAIRY MONTH *

and, I further ask that Arizonans recognize the importance of the dairy industry as a major contributor to the economic vitality of the state, as well as the health and well-being of its citizens, and the role of dairy in assuring Arizona's future progress, and for the month of June, recognize "Cream" as the sixth "C" to Arizona's Five "Cs" (Copper, Cattle, Cotton, Citrus and Climate) which are the past, present, and future forces that drive Arizona's economy.

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 thirtieth day of April in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

ATTEST:
Ken Bennett
Secretary of State

*** ARIZONA MONSOON AWARENESS WEEK ***

[M14-151]

WHEREAS, it is vital that all citizens be aware of the challenge of living with limited water resources, extreme heat, severe weather, and floods; and

WHEREAS, limited water resources may cause hardships and possible life-threatening conditions in drought stricken areas; and

WHEREAS, the extreme summer heat may cause life-threatening conditions for those who work outdoors or take part in outdoor activities; and

WHEREAS, the severe storms with damaging high wind, dangerous dust storms, destructive hail and hazardous lightning threaten the safety of people who live and travel in Arizona; and

WHEREAS, these storms along with flood waters that inundate our land cause property damage and threaten the health and safety of the people in our State; and

WHEREAS, the Arizona Departments of Health Services, Insurance, Water Resources, Public Safety, Transportation, and Emergency and Military Affairs, have joined with the Salvation Army and the National Oceanic and Atmospheric Administration's National Weather Service in recognizing the need for a broad public education on drought, dust storms, extreme heat, flash flooding, and severe weather in Arizona.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim June 8 – 14, 2014 as

*** ARIZONA MONSOON AWARENESS 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 April in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

ATTEST:
Ken Bennett
Secretary of State

*** BUFFALO SOLDIERS DAY ***

[M14-152]

WHEREAS, African-Americans have fought with distinction in all of this country's military engagements; and

WHEREAS, on July 28, 1866, Congress established a peacetime army founding six new African-American units, the 9th and 10th Cavalry, and the 38th, 39th, 40th and 41st Infantry. Later on, the 38th and 41st reorganized as the 25th Infantry, and the 39th and 40th reorganized as the 24th Infantry; and

WHEREAS, these soldiers were nicknamed Buffalo Soldiers by the Native Americans because of their reputation for fighting ferociously to the end in battle; and

WHEREAS, Buffalo Soldiers were responsible for escorting settlers, cattle herds and railroad crews, exploring and mapping vast areas of the Southwest, stringing hundreds of miles of telegraph lines, and helping in the expansion of the West; and

WHEREAS, throughout the era of the Indian Wars, Buffalo Soldiers were posted from Montana in the Northwest to Texas, New Mexico, and Arizona in the Southwest making up approximately 20 percent of the United States Cavalry troopers; and

WHEREAS, it is important for the citizens of Arizona to preserve the history of the Buffalo Soldiers and commemorate the sacrifices they have made to the State and to this Nation.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim June 19, 2014 as

*** BUFFALO SOLDIERS 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 thirtieth day of April in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

**ATTEST:
Ken Bennett
Secretary of State**

*** INDEPENDENT BUSINESS WEEK ***

[M14-153]

WHEREAS, we celebrate the independence of the citizens of this great State of Arizona and the entrepreneurial spirit represented by our local independent businesses; and

WHEREAS, the individual decisions we make today affects the future of Arizona and its many communities; and

WHEREAS, Arizona's local independent businesses help preserve the uniqueness of the communities we call "home" and give us a sense of place; and

WHEREAS, Arizona's independently-owned businesses give back to our communities in goods, services, time and talent; and

WHEREAS, the health of Arizona's economy, and that of each community within it, depends on our support of businesses owned by our friends and neighbors; and

WHEREAS, Local First Arizona, a non-profit organization, has over 2,400 member businesses across Arizona who are celebrating many years of raising awareness about the importance of patronizing local businesses to foster strong community ties and preserve our unique character for generations to come.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim June 29 – July 6, 2014 as

*** INDEPENDENT BUSINESS WEEK ***

and, I further recognize our citizens and local independent businesses who are integral to the unique flavor of Arizona and honor their efforts in making our communities the places we want to live and work.

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 April in the year Two Thousand and Fourteen, 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.

Governor's Executive Orders/Proclamations

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