

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 BIOSCIENCE WEEK *

[M14-233]

WHEREAS, Arizonans in our private and university research centers in collaboration with our life science companies are building new solutions to improve health and quality of life in Arizona and across the globe; 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, the efforts of these researchers, entrepreneurs and investors, working together, are developing new products, services, and companies that translate discoveries into commercial applications that are bending the healthcare cost curve and creating and sustaining high quality, high paying jobs; and

WHEREAS, during the week of September 15th, the Arizona Bioindustry Association and its partners from across the Rocky Mountain Southwest Region will assemble this vibrant community to celebrate the achievements of its members and to growth in the discovery, development and delivery of life science innovations in Arizona and across the region.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 15 – 19, 2014 as

* ARIZONA BIOSCIENCE 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 nineteenth day of August in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

ATTEST:
Ken Bennett
Secretary of State

* ARIZONA HUNGER ACTION MONTH *

[M14-243]

WHEREAS, 1.2 million Arizonans, or one in every five, live in poverty and are at-risk for going without food; and

WHEREAS, one in four Arizona children are part of poverty-stricken families and do not know where their next meal will come from; and

WHEREAS, nearly one in seven Arizona seniors go without meals, forcing to choose between buying food and medicine each month; and

WHEREAS, food banking began in Arizona with St. Mary's Food Bank Alliance, the world's first food bank and a member of Feeding America; and

WHEREAS, Arizona food banks work collaboratively to provide more than 130 million pounds of food across Arizona in 2013 - 2014; and

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WHEREAS, Arizona food banks serve as the “grocery store” for more than 1,200 other food banks, community centers, churches, domestic violence shelters, soup kitchens, churches and other non-profit agencies throughout Arizona; and

WHEREAS, Arizona recognizes the individuals and groups who donate their time, money, and food to help their neighbors in need; and

WHEREAS, food banks in Arizona are creating special opportunities throughout the month of September to bring awareness and attention to encourage involvement in efforts to end hunger in their local community.

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

*** ARIZONA HUNGER ACTION 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 eighteenth day of August in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

ATTEST:
Ken Bennett
Secretary of State

*** CHILDHOOD CANCER AWARENESS MONTH ***

[M14-244]

WHEREAS, each September is officially recognized as Childhood Cancer Awareness Month throughout the Nation; and

WHEREAS, childhood cancer is the number one cause of death from disease for children; and

WHEREAS, each year in the United States, over 12,600 children, including approximately 235 Arizona children, are diagnosed with cancer, which takes the life of one to two children out of every five diagnosed; and

WHEREAS, the late effects of childhood cancer treatments are common among the more than 270,000 childhood cancer survivors in the United States and include serious side effects that may last a lifetime, such as secondary cancers, major organ problems, and developmental and cognitive diminishments; and

WHEREAS, research on the emotional impact of childhood cancer finds that parents and siblings report even greater long-term emotional impacts than the diagnosed child; and

WHEREAS, various dedicated organizations remain deeply committed to educate, support, serve and advocate for children with cancer, their families, bereaved families, survivors of childhood cancer, and the professionals who care for them.

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

*** CHILDHOOD CANCER AWARENESS MONTH ***

and, I further encourage all citizens of Arizona to increase awareness of the significance of childhood cancer and its implications on children, families, and our community.

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

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DONE at the Capitol in Phoenix on this eighteenth day of August in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

ATTEST:
Ken Bennett
Secretary of State

*** FETAL ALCOHOL SPECTRUM DISORDERS AWARENESS DAY ***

[M14-234]

WHEREAS, the term "fetal alcohol spectrum disorders" (FASDs) describes the range of effects that can occur in a baby whose mother drank alcohol during pregnancy, with fetal alcohol syndrome (FAS) being the most-involved condition along the spectrum; and

WHEREAS, prenatal alcohol exposure is the leading preventable cause of birth defects and intellectual and developmental disabilities; and

WHEREAS, the exact number of people who have FASDs is unknown, but it is estimated that about 40,000 babies in the United States and 800 babies in Arizona are born with effects of prenatal alcohol exposure annually; and

WHEREAS, the lifetime cost for one individual with FAS is estimated to be \$2 million, with a combined cost to the United States for FAS alone over \$4 billion annually; and

WHEREAS, 7.6 percent of pregnant women (or 1 in 13) and 51.5 percent of non-pregnant women (or 1 in 2) report drinking alcohol in the past thirty days, and about half of all pregnancies are unplanned, contributing to late entry into prenatal care and presenting a barrier to optimal pregnancy management, particularly during the crucial early weeks of embryonic development; and

WHEREAS, the good health and well-being of the people of Arizona are enhanced by the support of a national effort to educate about and prevent FASDs, and increase awareness of the preventive health message that women who are pregnant or who might be pregnant should abstain from drinking alcohol; and

WHEREAS, the Arizona Department of Health Services joins with the Statewide Task Force on Preventing Prenatal Exposure to Alcohol and Other Drugs, as well as many dedicated volunteers, healthcare professionals, educators, and parent groups by participating in this promotion.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 9, 2014 as

*** FETAL ALCOHOL SPECTRUM DISORDERS AWARENESS DAY ***

and, I further encourage partnership with organizations, healthcare professionals, educators, and the public to raise awareness about our unified message: "Pregnancy and alcohol don't mix. Why take the risk?"

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 nineteenth day of August in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

AATTEST:
Ken Bennett
Secretary of State

*** LIFE INSURANCE AWARENESS MONTH ***

[M14-245]

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

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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 2014 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
G O V E R N O R

DONE at the Capitol in Phoenix on this eighteenth day of August in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

ATTEST:
Ken Bennett
Secretary of State

*** PAYROLL WEEK ***

[M14-246]

WHEREAS, the American Payroll Association and its more than 21,000 members have launched a nationwide public awareness campaign that pays tribute to the more than 156 million people who work in the United States and the payroll professionals who support the American system by paying wages, reporting worker earnings and withholding federal employment taxes; and

WHEREAS, payroll professional in Arizona play a key role in maintaining the economic health of Arizona, carrying out such diverse tasks as paying into the unemployment insurance system, providing information for child support enforcement, and carrying out tax withholding, reporting and depositing; and

WHEREAS, payroll departments collectively spend more than \$15 billion annually complying with myriad federal and state wage and tax laws, and payroll professionals play an increasingly important role ensuring the economic security of American families by helping to identify non-custodial parents and making sure they comply with their child support obligations; and

WHEREAS, payroll professionals have become increasingly proactive in educating both the business community and the public at large about the payroll tax withholding systems; and

WHEREAS, payroll professionals meet regularly with federal and state tax officials to discuss both improving compliance with government procedures and how compliance can be achieved at less cost to both government and businesses; and

WHEREAS, the week in which Labor Day falls has been proclaimed National Payroll Week.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 1 – 5, 2014 as

*** PAYROLL WEEK ***

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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 August in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

ATTEST:
Ken Bennett
Secretary of State

*** POLIO AWARENESS MONTH ***

[M14-235]

WHEREAS, there are today more than 1 million survivors of North America's terrifying polio epidemics of the middle of the last century; and

WHEREAS, these polio survivors are experiencing Post-Polio Sequelae (PPS), the unexpected and often disabling symptoms – overwhelming fatigue, muscle weakness, muscle and joint pain, sleep disorders, heightened sensitivity to anesthesia and pain, cold intolerance, and difficulty swallowing and breathing – that occurs decades after the acute poliovirus infection; and

WHEREAS, Post-Polio Sequelae can be managed and even prevented if polio survivors conserve energy to stop overusing their reduced number of remaining, poliovirus-damaged neurons and weakened muscles and joints; and

WHEREAS, only a very limited number of medical professionals know of Post-Polio Sequelae, let alone know how to treat polio survivors with PPS; and

WHEREAS, the number of children being paralyzed and killed by the poliovirus is once again on the rise due to wars in the Middle East and Africa preventing vaccination; and

WHEREAS, air travel makes all Americans vulnerable to infection by an imported poliovirus and therefore all Americans must continue to be vaccinated against polio, and parents educated that Polio is NOT eradicated.

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

*** POLIO 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 nineteenth day of August in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

ATTEST:
Ken Bennett
Secretary of State

*** SPINAL MUSCULAR ATROPHY AWARENESS MONTH ***

[M14-236]

WHEREAS, Spinal Muscular Atrophy (SMA) is the leading genetic cause of death in children under the age of two and 1 in 40 Americans carry the gene that causes SMA which is known to cause degeneration in voluntary muscle movement for those living with the condition; and

WHEREAS, SMA is a motor neuron condition which affects the voluntary muscles that are used for activities such as crawling, walking, head and neck control, and swallowing, and there is currently no treatment or cure for SMA; and

WHEREAS, SMA crosses all racial, ethnic and religious boundaries, and can occur in anyone of any age, race or gender; and

WHEREAS, increased awareness of SMA will lead to increased knowledge and increased support for families affected by the condition and research, hopefully leading to effective treatment and a cure; and

WHEREAS, patient groups have designated August as National Spinal Muscular Atrophy Awareness Month in order to raise awareness and help promote research into this serious condition; and

WHEREAS, families impacted by SMA can offer family support, resource sharing, insight and understanding when it is most needed.

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

*** SPINAL MUSCULAR ATROPHY 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 nineteenth day of August in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

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 pro-

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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