

**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 HOME HEALTH CARE MONTH ***

[M14-252]

WHEREAS, delivering quality home health care and useful comparison information to consumers is a high priority at the federal level and in Arizona; and

WHEREAS, home health quality measures are available at both the national and state levels to help consumers choose a home health agency; and

WHEREAS, Arizona home health agencies continually engage in quality improvement efforts and offer cost-efficient skilled nursing care and therapy services to patients in their own homes; and

WHEREAS, Arizona home health providers, health care organizations, state agencies, consumer advocates, community-based organizations have formed a strong, collaborative partnership in support of improving quality of care; and

WHEREAS, each November, National Home Care Month is celebrated to honor caregivers who make a remarkable difference in the lives of the patients and families they serve.

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

*** ARIZONA HOME HEALTH CARE 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 twenty-ninth 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 INSURANCE INDUSTRY DAY ***

[M14-271]

WHEREAS, when people and communities in Arizona need to insure economic risks they cannot afford to bear themselves, it becomes the duty and privilege of the insurance industry to assume these risks and to encourage risk management programs in cooperation with municipal and state authorities; and

WHEREAS, the availability of insurance provides financial stability, minimizing the disruption of lives and the economy in times of catastrophe and loss; and

WHEREAS, ethical conduct, good faith, and fair treatment benefit consumers, claimant, and the insurance industry; and

WHEREAS, the continuing education of men and women serving the insurance industry enhances the quality of service; and

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WHEREAS, the Arizona Chapter of the Society of Chartered Property and Casualty Underwriters was organized to promote continuing education and ethical conduct of insurance professionals.

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

*** ARIZONA INSURANCE INDUSTRY 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 tenth day of September 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

*** COLLEGE APPLICATION CAMPAIGN MONTH ***

[M14-265]

WHEREAS, the State of Arizona is committed to ensuring our children have the education and skills they need to compete in the global economy; and

WHEREAS, more than 90 percent of high school students say they plan to go to college; and

WHEREAS, only 26 percent of Arizonans over the age of 25 have obtained a bachelor's degree or higher; and

WHEREAS, more than 60 percent of Arizona's future jobs will require some form of postsecondary education; and

WHEREAS, postsecondary education leads to citizens who are happier and healthier and who are more engaged in their community; and

WHEREAS, the Arizona Commission for Postsecondary Education has established the Arizona College Application Campaign with the goal of every high school senior completing at least one postsecondary education application during the campaign month of November.

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

*** COLLEGE APPLICATION CAMPAIGN MONTH ***

and, I further urge all Arizonans to recognize the benefit of attaining a postsecondary education and to encourage high school seniors to complete at least one postsecondary education application in the month of November.

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 Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

ATTEST:
Ken Bennett
Secretary of State

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*** GEOGRAPHY AWARENESS WEEK ***

[M14-266]

WHEREAS, the week of November 16 – 22, 2014 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 GeoEducation, 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 16 – 22, 2014 as

*** GEOGRAPHY AWARENESS WEEK ***

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

*** INTERNATIONAL EDUCATION WEEK ***

[M14-267]

WHEREAS, building and strengthening mutual understanding with our neighbors around the globe is important for peace and prosperity; and

WHEREAS, educating international students is an important way to impart cross-cultural understanding and to create a network of partners throughout the world; and

WHEREAS, several thousand international students from more than 100 countries are now studying in Arizona, and more than 1,000 Arizona students will study and volunteer abroad this year; and

WHEREAS, institutions of higher education in Arizona participate in a wide variety of exchange programs with similar institutions around the world, offering world-class opportunities for international education; and

WHEREAS, international education effectively trains and educates students for the globally competitive demands of the 21st century; and

WHEREAS, International Education Week was established as a joint initiative of the U.S. Department of State and the U.S. Department of Education as a way to promote international understanding in the United States and abroad; and

WHEREAS, during International Education Week, institutions of higher education will participate in activities celebrating and recognizing the importance of international education.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim November 17 – 21, 2014 as

*** INTERNATIONAL EDUCATION 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 Fourteen and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

**ATTEST:
Ken Bennett
Secretary of State**

*** VALLEY FEVER AWARENESS WEEK ***

[M14-276]

WHEREAS, Valley Fever infections in Arizona have greatly increased over the last decade, with 60 percent of all nationally reported cases of Valley Fever occurring in Arizona; and

WHEREAS, Valley Fever is one of the most commonly reported infectious disease in Arizona; and

WHEREAS, enhanced surveillance of Valley Fever cases demonstrates the serious impact Valley Fever has on the health of our citizens and on Arizona's healthcare system; and

WHEREAS, the Arizona Department of Health Services, government agencies, other government agencies, businesses, and community organizations are united to educate the public and healthcare providers about Valley Fever in Arizona; and

WHEREAS, through public education and promotion of early diagnosis, the impact of Valley Fever on individuals may be reduced; and

WHEREAS, Arizona is the focal point of quality clinical care and research for Valley Fever.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim November 8 - 16, 2014 as

*** VALLEY FEVER AWARENESS WEEK ***

in recognition of the outstanding treatment and research conducted by the Valley Fever Center for Excellence at the University of Arizona, its new clinical center at St. Joseph's Hospital in Phoenix, and for the advances in Valley Fever education and public health by the Arizona Department of Health Services.

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 seventeenth day of September in the year Two Thousand and Fourteenth, and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

**ATTEST:
Ken Bennett
Secretary of State**

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*** VETERANS DAY ***

[M14-270]

WHEREAS, Arizona is home to more than half a million military veterans who have helped shape the American character by giving us an extraordinary legacy of patriotism and honor, and representing the highest form of civic virtue and duty; and

WHEREAS, in observance of Veterans Day, we recognize and pay tribute to the heroic men and women of our armed forces who have valiantly defended the values of liberty, opportunity, and justice for all by answering the call of duty and risking their lives to protect their fellow citizens; and

WHEREAS, November 11, 1918 marked the cessation of hostilities during World War I, "The Great War," when the armistice went into effect on the eleventh hour of the eleventh day of the eleventh month; and

WHEREAS, with respect for and in recognition of the contributions our servicemen and women have made to the cause of peace and freedom around the world, Congress has officially designated November 11 of each year as a legal public holiday to honor all who have served in America's Armed Forces; and

WHEREAS, the noble spirit of the American military is a vital part of our nation and our history, and the valor, strength, and courage of the men and women in uniform remain a constant inspiration.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim November 11, 2014 as

*** VETERANS DAY ***

and, I further call upon all Arizona citizens to remember our civil obligations to our nation's veterans, and to uphold our commitment to the lasting principles defining our country, the principles for which our fellow citizens fought and died.

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 Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

ATTEST:
Ken Bennett
Secretary of State

**A PROCLAMATION OF COMMUTATION OF SENTENCE
BY THE GOVERNOR OF ARIZONA**

[M14-257]

TO ALL TO WHOM THESE PRESENTS COME, GREETINGS:

WHEREAS, Joshua Ruscher, ADC# 229481, was convicted of three counts of the crime of Aggravated Assault in CR2007-0553 in the Superior Court of Mohave County, State of Arizona, and was sentenced on the 25th day of April, A.D. 2008, to serve a term of not less than 7.5 years in the Arizona State Prison; and

WHEREAS, at a meeting of the Board of Executive Clemency held at 1645 W. Jefferson, Suite 101 in Phoenix, Arizona, on the 6th day of August, 2014, it was recommended by the said Board that the sentence of the said Joshua Ruscher be commuted due to Imminent Danger of Death, so that in lieu of the original sentence his sentence shall be Time Served with the community supervision portion of the sentence to be waived; and

WHEREAS, pursuant to Article 5 § 5 of the Constitution of the State of Arizona and 31 Arizona Revised Statutes § 443, the Governor may grant reprieves, commutations and pardons upon such conditions, restrictions and limitations the Governor deems proper.

NOW, THEREFORE, I, Janice K. Brewer, Governor of Arizona, in consideration of the premises and by virtue of the

authority vested in me by law, do hereby commute the sentence of the aforesaid Joshua Ruscher so that in lieu of original sentence, his sentence shall be Time Served with the community supervision portion of the sentence to be waived.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State to be affixed. Done at the City of Phoenix, the Capitol, this 4th day of September, 2014.

Janice K. Brewer
G O V E R N O R

ATTEST:
Ken Bennett
Secretary of State

EXECUTIVE ORDER 2014-07

The Governor's Commission on Service and Volunteerism

(Amends Executive Order 2010-05)

[M14-277]

WHEREAS, Arizona needs more volunteers to address many of its unmet social, educational, environmental and public safety needs; and

WHEREAS, promoting the potential of Arizona's people, communities, and enterprises is vital to the prosperity of the State; and

WHEREAS, building and encouraging community volunteer service is an integral part of the State's future well-being, requiring cooperative efforts by the public and private sectors; and

WHEREAS, promotion the potential of Arizona's youth is intrinsically vital to the prosperity of the State; and

WHEREAS, Arizona needs to streamline and increase efficient practices; and

WHEREAS, pursuant to the Serve America Act (Pub. L. 111-13, 123 Stat. 1460, H.R. 1388), and the National and Community Service Act of 1990 (Public Law 101-610, Nov. 16, 1990, 104 Stat. 3127, as amended through P.L. 111-13, Enacted April 21, 2009), and the AmeriCorps Regulations at 45 CFR §§ 2522.420 – 2522.448, Arizona needs an administrative vehicle through which to receive a distribution of approved national service positions;

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, by virtue of the authority vested in me as Governor by the Constitution and laws of this State, hereby order as follows:

1. The Arizona Governor's Commission on Service and Volunteerism (Commission) is hereby continued so as to advise and assist in the development and implementation of a comprehensive, statewide plan for promoting volunteer involvement and citizen participation in Arizona, as well as serve as the State's liaison to national and state organizations that support the Commission's mission.
2. The Commission will be comprised of no fewer than 15 voting members in compliance with federal guidelines as described in the Federal Act. Members of the Commission shall be appointed by, and serve without compensation at the pleasure of, the Governor.
 - A. The Commission shall include the following members (among others):
 - An individual with expertise in the educational, training, and development needs of youth, particularly disadvantaged youth;
 - An individual with experience in promoting the involvement of older adults in service and volunteerism;
 - A representative of community-based agencies or community-based organizations;
 - The Superintendent of Public Instruction or designee;
 - A representative of local governments;
 - A representative of local labor organizations;
 - A representative of business;
 - A youth (between the ages of 16 and 25 who is a participant or a supervisor in a volunteer program);

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- A representative of a national service program;
 - A representative of the volunteer sector.
- B.** To the extent practicable, the remaining members of the Commission shall reflect the geographic and cultural diversity of the State.
 - C.** Additional members of the Commission may be added at the discretion of the Governor.
 - D.** A representative of the Corporation for National and Community Service may serve as an ex-officio non-voting member of the Commission.
 - E.** Not more than 25 percent of the Commission members may be employees of state government, though additional state agency representatives may sit on the Commission as ex-officio non-voting members.
 - F.** As required by federal law, not more than 50 percent of the Commission, plus one member, may be from the same political party.
 - G.** The Commission Chair shall be selected by the Commission.
 - H.** Members of the Commission may, with the Governor's permission, send delegates to serve on the Commission: provided, however, that such designee shall have been delegated by the member with full authority to vote and otherwise act on behalf of the member.
3. The Commission, in alliance with the Governor's Office for Children, Youth, and Families, shall:
 - A.** Prepare the annual state service plan as called for under the Act;
 - B.** Fulfill federal program administration requirements including those related to the provision of health care and childcare for program participants;
 - C.** Submit annual state applications for federal funding of Commission-selected AmeriCorps programs;
 - D.** Integrate AmeriCorps programs into the state service plan;
 - E.** Conduct local outreach to develop a comprehensive and inclusive state service plan and coordinate with existing programs in order to prevent duplication of effort;
 - F.** Provide technical assistance to service programs, including the development of training methods and curriculum materials;
 - G.** Develop a statewide recruitment and placement system for individuals interested in community volunteer service opportunities; and
 - H.** Prepare an annual progress report for submission to the Governor by June 30 of each year.
 4. The Governor's Office shall serve as the lead agency for administration of the Commission as is deemed appropriate and necessary to fulfill the objectives of this Order. Additionally, all state agencies shall provide reasonable assistance to the Commission as requested in order to ensure a fully coordinated state effort for promoting national and community service.
 5. The Governor's Commission on Service and Volunteerism shall be reviewed no later than June 30, 2019, to determine appropriate action for its continuance, modification or termination.

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-second day of September 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

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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