

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.

**\* RUNAWAY PREVENTION MONTH \***

[M14-344]

**WHEREAS**, nationally, running away from home is widespread, with between 1.6 and 2.8 million youth running away in a one year period; and

**WHEREAS**, runaway youth most often have been expelled from their homes by their families, physically, sexually, and emotionally abused at home, separated from their parents through death and divorce, unable to financially secure their own basic needs, and ineligible or unable to access adequate medical or mental health resources; and

**WHEREAS**, effective programs supporting runaway youth and assisting youth and their families in remaining at home succeed because of partnerships created among families, community-based human service agencies, law enforcement agencies, schools, faith-based organizations, and businesses; and

**WHEREAS**, the future well-being of the State is dependent on the opportunities provided for youth and families to acquire the knowledge, skills, and abilities necessary for youth to develop into safe, healthy, and productive adults; and

**WHEREAS**, organizations throughout the State are jointly sponsoring Runaway Prevention Month to increase public awareness of the life circumstances of youth in high-risk situations and the need for safe, healthy, and productive alternatives, resources, and supports for youth, families, and communities.

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

**\* RUNAWAY PREVENTION 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 November 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**

**\* RURAL HEALTH DAY \***

[M14-345]

**WHEREAS**, rural communities are the heart and soul of Arizona and the United States; and

**WHEREAS**, these communities are fueled by the creative energy of their leaders ordinary people willing to step forward, share and implement a vision, and drive change that benefits everyone; and

**WHEREAS**, they are communities where people know each other, listen to and respect each other, and work together for the greater good; and

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**WHEREAS**, these communities have rich histories of resourcefulness, creativity and ingenuity that have helped the United States become the global economic leader it is today; and

**WHEREAS**, rural hospitals and rural clinics are often the economic foundation of these communities in addition to being their primary providers of care; and

**WHEREAS**, meeting the unique healthcare needs of these communities is constantly evolving, as rural communities face accessibility issues, a lack of healthcare providers, an aging population suffering from a greater number of chronic conditions, and larger percentages of uninsured and underinsured citizens; and

**WHEREAS**, the Arizona Rural Health Association in partnership with the Center for Rural Health, formerly the Rural Health Office, at the University of Arizona, play a distinct and critical role by leading efforts to help rural communities address their unique healthcare needs; and

**WHEREAS**, National Rural Health Day will be celebrated throughout America on November 20, 2014.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim November 20, 2014 as

**\* RURAL HEALTH DAY \***

and, I further encourage citizens to recognize the unique contributions and selfless, "can do" attitudes of our rural communities, the unique healthcare needs and opportunities that exist in these communities, and the Arizona Rural Health Association and the Center for Rural Health for the valuable representation and support it provides to rural people and rural services that address the needs and opportunities.

**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 November 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**

**\* SMALL BUSINESS SATURDAY \***

[M14-346]

**WHEREAS**, the State of Arizona celebrates our local small businesses and the contribution they make to our local economy and community; and

**WHEREAS**, according to the United States Small Business Administration (SBA), there are currently 23 million small businesses in the United States, they represent more than 99 percent of American employer firms, create more than two-thirds of the net new jobs, and generate 46 percent of private gross domestic product; and

**WHEREAS**, small businesses employ over 55 percent of the working population in the United States; and;

**WHEREAS**, in the United States, 89 percent of consumers agree that small businesses contribute positively to the local community by supplying jobs and generating tax revenue; and

**WHEREAS**, nationally, 87 percent of consumers agree that small businesses are critical to the overall economic health of the United States; and

**WHEREAS**, in the United States, 93 percent of consumers agree that it is important for people to support the small businesses that they value in their community; and

**WHEREAS**, the State of Arizona supports our local businesses that create jobs, boost our local economy and preserve our

neighborhoods and advocacy groups, and public and private organizations across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

**NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim November 29, 2014 as**

**\* SMALL BUSINESS SATURDAY \***

and, I further encourage the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

**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 twelfth day of November 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**

**DECLARATION OF EMERGENCY**

*Cochise County Flooding*

[M14-347]

**WHEREAS**, between September 17, 2014 and September 19, 2014, powerful rain storms combined with remnants of Hurricane Odile caused record precipitation and flooding in Cochise County; and

**WHEREAS**, the heavy rains resulted in significant flooding impacts, including erosion and debris flows, causing substantial damage to critical infrastructure and public facilities throughout Cochise County; and

**WHEREAS**, the heavy rains threatened lives and required emergency response search and rescue missions, caused residential damages, and forced evacuations; and

**WHEREAS**, heavily saturated soils from a historically high monsoon seasonal rainfall have greatly increased the threat of flooding; and

**WHEREAS**, the Cochise County Board of Supervisors has declared a State of Emergency for their county; and

**WHEREAS**, the Governor is authorized to declare an emergency pursuant to A.R.S. § 26-303(D); and

**WHEREAS**, the Legislature has authorized the expenditure of funds in an event of an emergency pursuant to A.R.S. § 35-192.

**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 the State, do hereby determine that the flooding event in Arizona justifies a declaration of a State of Emergency, pursuant to A.R.S. § 26-303(D), and I do hereby:**

- a. Declare that a State of Emergency exists in Cochise County due to flooding, effective September 17-19, 2014; and
- b. Direct that the sum of \$200,000 from the General Fund be made available to the Director of the Arizona Division of Emergency Management to be expended in accordance with A.R.S. § 35-192, A.A.C. R8-2-301 to 321, and Executive Order 79-4; and
- c. Direct that the State of Arizona Emergency Response and Recovery Plan be used to direct and control state and other assets and authorize the Director of the Arizona Division of Emergency Management to coordinate state assets; and
- d. Authorize the Adjutant General to mobilize and call to activate all or such part of the Arizona National Guard

as is determined necessary to assist in the protection of life and property throughout the State.

**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 fourth day of November in the Year Two Thousand 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 2014-09**  
**Arizona Developmental Disabilities Planning Council**  
*(Superseding and Amending Executive Order 2009-08)*

[M14-348]

**WHEREAS**, persons with developmental disabilities are a valuable resource to Arizona and an integral part of our community; and

**WHEREAS**, it is important for individuals with developmental disabilities and their families to have a forum to discuss issues important to them, to identify concerns, gaps and duplications in available services and programs, and to build capacity for system change when needed; and

**WHEREAS**, persons with developmental disabilities and their families, state agencies, protection and advocacy organizations, local and non-governmental agencies and private and non-profit groups serving individuals with developmental disabilities all play important roles in facilitating advocacy, capacity-building and system change activities for persons with developmental disabilities; and

**WHEREAS**, there is a need for comprehensive research and data analysis that can be used in informed decision-making about programs and services for persons with developmental disabilities.

**NOW, THEREFORE, I**, Janice K. Brewer, by virtue of the authority vested in me as Governor of the State of Arizona by the Arizona Constitution and Laws of Arizona, hereby establish the Arizona Developmental Disability Planning Council ("the Council") and order and direct as follows:

1. The Council shall act as the lead agency on advocacy, capacity building, and systemic change activities with regard to persons with developmental disabilities and their families.
2. All Council activities shall be consistent with the Developmental Disabilities Assistance and Bill of Rights Act (P.L. 106-402) ("the Act").
3. The Council shall consist of twenty-three members, and membership shall be consistent with the Act as follows:
  - a. At least 60 percent of the Council shall:
    - i. Be either:
      1. Persons with developmental disabilities;
      2. Parent or guardians of children with developmental disabilities; or
      3. Immediate relatives or guardians of adults with mentally impairing or cognitive developmental disabilities who cannot advocate for themselves.
    - ii. Not be:
      1. Employees of a state agency that receives monies or provides services for persons with developmental disabilities;
      2. Managing employees, as defined in section 1126(b) of the Social Security Act, of any other entity that receives monies or provides services for persons with developmental disabilities; or
      3. Persons with an ownership or control interest, as defined in section 1124(a)(3) of the Social Security Act, with respect to such an entity.
  - b. The remaining 40 percent of the Council shall consist of at least one representative from the following entities:

- i. The principal state agencies that administer monies provided under:
    1. The federal Rehabilitation Act of 1973;
    2. The Older Americans Act of 1965;
    3. The Individuals with Disabilities Education Act;
    4. Title XIX of the Social Security Act; and
    5. Title V of the Social Security Act.
  - ii. Each of the university centers of excellence in developmental disabilities in Arizona;
  - iii. The protection and advocacy systems for persons with developmental disabilities;
  - iv. A local agency concerned with services for persons with developmental disabilities; and
  - v. A private, non-profit nongovernmental agency concerned with services for persons with developmental disabilities.
4. Of the Council members referenced in section 2(a) above:
    - a. At least one-third shall be individuals with developmental disabilities;
    - b. At least one-third shall be parents or guardians of children with developmental disabilities, or immediate relatives of guardians of adults with mentally impairing or cognitive developmental disabilities who cannot advocate for themselves;
    - c. The remaining one-third shall be a combination of the individuals described in section 2(a) above; and
    - d. At least one shall be an immediate relative or guardian of an individual with a developmental disability who resides or previously resided in an institution, or shall be an individual with a developmental disability who resides or previously resided in an institution.
  5. Members of the Council shall:
    - a. Be appointed by and serve at the pleasure of the Governor;
    - b. Serve staggered three-year terms; and
    - c. Be geographically representative of the State.
  6. The Governor shall designate the Chairperson and Vice-Chairperson of the Council from among the Council membership. The Chairperson may establish standing and special committees within the Council.
  7. A committee of five members of the Council, designated by the Chairperson and including the Chairperson, shall hire an Executive Director.
  8. The Chairperson shall supervise the Executive Director, including making any necessary administrative decisions pertaining to the Executive Director and/or the position. The Council shall conduct an annual evaluation of the Executive Director.
  9. The Council shall:
    - a. Serve as a forum through which issues regarding persons with developmental disabilities may be discussed;
    - b. Advise the Governor, Legislature, government agencies, and the private sector on programs, policies and concerns pertaining to services for persons with developmental disabilities and their families;
    - c. Develop, submit and implement the State Plan ("the Plan") for persons with developmental disabilities and their families, consistent with the Act, including conducting outreach, training, technical assistance, community support and education, interagency collaboration, coordination and public engagement activities, systems analysis, and demonstration projects;
    - d. Monitor, review and annually evaluate the implementation of the Plan;
    - e. Submit an annual report concerning services to persons with developmental disabilities to the Governor, Speaker of the House of Representatives and the President of the Senate, and submit other reports as necessary;
    - f. Review and make recommendations, as necessary, on services and programs for persons with developmental disabilities, and make those recommendations available to the Governor, Legislature and government agencies as requested; and
    - g. Monitor programs and services to encourage efficient and coordinated use of resources.
  10. In addition to the activities authorized under the Act, the Council shall conduct comprehensive research and data analysis on issues that affect persons with developmental disabilities, including demographic information and the costs, availability, capacity, effectiveness and efficiency of programs and services for such persons.
  11. The Department of Economic Security shall be the designated state agency to provide administration and technical support to the Council.
  12. The status of the Council shall be reviewed no later than December 31, 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 fourth day of November 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 2014-10**

**The Governor's Council on Water Supply Sustainability**

[M14-349]

**WHEREAS**, through careful planning and leadership, Arizona has been successful in managing its water resources for more than a century, providing a robust and secure water supply for a strong and expanding economy; and

**WHEREAS**, previous generations of Arizonans have committed to planning, financing and constructing the infrastructure needed to deliver water resources from which all Arizonans benefit today; and

**WHEREAS**, these commitments brought together the public and private sectors as well as leaders from across the political spectrum to solve historic water challenges; and

**WHEREAS**, the citizens of Arizona have created innovative water management structures like the highly acclaimed 1980 Groundwater Management Act, which includes mandatory water conservation requirements, 100-year renewable water supply requirements for new development, underground storage and recovery and the Arizona Water Banking Authority; and

**WHEREAS**, the State of Arizona and the Colorado River system are experiencing a long-term drought, which will challenge currently developed water supplies and may trigger shortages within the next few years that could limit Arizona's economic growth potential; and

**WHEREAS**, at my direction, the Arizona Department of Water Resources assessed the current water supply options to meet the full growth potential for the State and released its findings, Arizona's Next Century: A Strategic Vision for Water Supply Sustainability (Strategic Vision), in January 2014; and

**WHEREAS**, the Strategic Vision concluded that local and regional efforts such as continued conservation, water reuse and forest management will mitigate potential supply impacts, these efforts alone will not resolve anticipated impacts to the State's water supply; and

**WHEREAS**, in order for Arizona to reach its full economic potential, we must build upon the successes of the last century of wise water management, planning and infrastructure investment; and

**WHEREAS**, the Strategic Vision identified key priorities and action items to maintain sustainable water supplies for Arizona into its next century.

**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 the State of Arizona do hereby establish and order as follows:**

- 1) The Governor's Council on Water Supply Sustainability (Council) is established.
- 2) The Council shall consist of 15 to 25 members appointed by the Governor.
- 3) The Arizona Department of Water Resources shall provide staffing and technical support to the Council.
- 4) The Council shall prepare and submit to the Governor an initial report by December 31, 2014 and a final report by December 31, 2015 that identifies the priorities for implementation of the action items and strategic priorities identified in the Strategic Vision to develop a secure and sustainable water supply for Arizona's next century.

The Plan shall include:

- Recommendations on water supply augmentation;
- Recommendations on water supply infrastructure needs;
- Identification of potential partnerships for water supply augmentation and infrastructure needs including the federal government, political subdivisions of this state and other states, private parties, and international parties;

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- Identification of potential funding and financing solutions;
  - Recommendations on legal procedural changes; and
  - Timetables for implementation.
- 5) The Co-Chairs may form an executive committee or sub-committees as necessary.
- 6) This Executive Order shall take effect immediately upon signature.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

**GOVERNOR**

**DONE** at the Capitol in Phoenix on this fourth day of November in the Year Two Thousand 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 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.

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- 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**