

**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 and Proclamations of General Applicability 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 HUNGER ACTION MONTH ***

[M12-315]

WHEREAS, 1.4 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, food banking began in Arizona with the initiation of St. Mary's Food Bank, the world's first food bank; and

WHEREAS, Arizona food banks work collaboratively to provide more than 123 million pounds of food a year to alleviate the hunger pangs of over one million Arizonans annually; and

WHEREAS, volunteers, corporations, small businesses, service groups, faith-based organizations, and many others step up regularly to help food banks feed hungry people; and

WHEREAS, while these monumental efforts help day in and day out, there is still need for more assistance, innovation and creativity to be shared; 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 2012 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 twenty-first day of August in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

ATTEST:
Ken Bennett
Secretary of State

*** ARIZONA RECOVERY MONTH ***

[M12-317]

WHEREAS, behavioral health is an essential part of one's overall health and wellness; and

WHEREAS, mental health and substance use disorders can be effectively treated just like other health conditions; and

WHEREAS, individuals who embrace recovery can achieve improved mental and physical health, as well as stronger relationships and a sense of self-worth; and

WHEREAS, Recovery Month, now in its 23rd year, honors individuals with mental health and substance use disorders who

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are living happy and healthy lives and also honors the prevention, treatment, and recovery service providers who make recovery possible; and

WHEREAS, individuals with mental health and substance use disorders deserve to have access to and be able to fully participate in community life, including economic advancement and prosperity; fair and decent housing; quality education; and positive opportunities to benefit from and contribute to material, cultural, and social progress; and

WHEREAS, it is critical to educate our policymakers, friends and family members, health care providers, and businesses that mental health and substance use disorders are treatable, and that people should be encouraged to seek assistance for these conditions, with the same urgency as they would any other health condition; and

WHEREAS, individuals that strive for and achieve healthy lifestyles, both physically and emotionally, contribute in positive ways to their communities; and

WHEREAS, to help more Arizonans learn how recovery positively benefits the Nation's overall health and well-being, and to help more Arizonans achieve long-term recovery, the Substance Abuse and Mental Health Services Administration and the Arizona Department of Health Services, Division of Behavioral Health Services invite all residents of Arizona to participate in Recovery Month.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 2012 as

*** ARIZONA RECOVERY MONTH ***

and encourage the citizens of this great State to observe this month with appropriate programs, activities, and ceremonies supporting this year's theme, "*Join the Voices for Recovery: It's Worth It.*"

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-first day of August in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

ATTEST:
Ken Bennett
Secretary of State

*** CELEBRATE TEENAGE DRIVING DAY ***

[M12-311]

WHEREAS, motor vehicle crashes are the number one cause of death among teenagers in the United States; and

WHEREAS, the fatality rate for drivers age 16 to 19 is four times that of drivers age 25 to 69 years; and

WHEREAS, the crash fatality rate is highest for 16 to 17 year olds within the first six months after getting their license, and remains high through age 24; and

WHEREAS, approximately two-thirds of teen passenger deaths (ages 13 to 19) occur when other teenagers are driving; and

WHEREAS, the top three predictors for fatality are non-use of seat belts, teen drivers, and roads with speed limits of 45 mph or higher; and

WHEREAS, in their first year on the road, teens are nearly 10 times more likely to be in a car accident; and

WHEREAS, it is necessary to explore effective ways to reduce the crash-risk for young drivers by focusing research and outreach efforts on areas of teen driving that show the most promise for improving safety.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 15, 2012 as

*** CELEBRATE TEENAGE DRIVING DAY ***

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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 twenty-first day of August in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

ATTEST:
Ken Bennett
Secretary of State

*** CHILDHOOD CANCER AWARENESS MONTH ***

[M12-318]

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, killing more every year than asthma, diabetes, cystic fibrosis, congenital anomalies and pediatric AIDS combined; and

WHEREAS, each year in the United States, over 13,632 children, including approximately 317 Arizona children, are diagnosed with cancer, which also causes the death of approximately 2,000 children every year; 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 disabilities; 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 2012 as

*** CHILDHOOD CANCER 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 twenty-first day of August in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

ATTEST:
Ken Bennett
Secretary of State

*** FAMILY DAY ***

[M12-312]

WHEREAS, 17 years of surveys conducted by The National Center on Addiction and Substance Abuse (CASA) at Columbia University have consistently found that youth who frequently eat dinner with their families are less likely to smoke, drink, and misuse illegal substances and prescription drugs; and

WHEREAS, youth who do not frequently eat dinner with their families are almost four times more likely to use tobacco, more than twice as likely to use alcohol, 2 ½ times more likely to use marijuana, and almost four times more likely to say that they expect to try drugs in the future than youth who frequently eat dinner with their families; and

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WHEREAS, the misuse of prescription drugs and the use of alcohol, nicotine and illegal drugs constitute the greatest threats to the well-being of America's children; and

WHEREAS, parents who are engaged in their children's lives – through such activities as frequent family dinners – are less likely to have children who abuse substances; and

WHEREAS, it is recognized that family dinners have long constituted a substantial pillar of family life in America.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 24, 2012 as

*** FAMILY 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 twenty-first day of August in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

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:

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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