

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 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.

\* TEEN SUICIDE PREVENTION AWARENESS WEEK \*

[M11-294]

**WHEREAS**, Arizona ranks 10th in the nation for suicides among adolescents; and

**WHEREAS**, suicide is the third leading cause of death for Arizona teens ages 15-18 and adolescents age 10-14; and

**WHEREAS**, it is estimated that more than 10,000 teens attempted suicide and 53 teens died by suicide in 2010; and

**WHEREAS**, the start of the school year and the end of the school year have the highest number of suicides by teens in Arizona; and

**WHEREAS**, at least 10 non-profit organizations including Teen Lifeline, A New Leaf, ASU College of Nursing, BANNER Health Care, Community Bridges, Crisis Response Network, La Frontera – EMPACT SPC, 1n10, and Tumbleweed/Safe-Place conduct promotional activities to explain the higher incidence of teenage suicide at the beginning of the school year, and highlight prevention and support services that are available.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 4-10, 2011 as

\* TEEN SUICIDE PREVENTION AWARENESS WEEK \*

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

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

**DONE** at the Capitol in Phoenix on this twenty-fifth day of August in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

\* ACTION IN THE FIGHT AGAINST CANCER MONTH \*

[M11-302]

**WHEREAS**, cancer is the second leading cause of death in the United States; and

**WHEREAS**, an estimated 31,550 new cases of cancer will be diagnosed, and 10,820 Arizonans will die of cancer in 2011 according to American Cancer Society statistics; and

**WHEREAS**, the American Cancer Society Cancer Action Network (ACS CAN) is a non-profit, non-partisan advocacy partner of the American Cancer Society which supports evidence based policy and legislative solutions designed to eliminate cancer as a major health problem; and

**WHEREAS**, Arizona will Celebrate with Action with events throughout the state during the month of September, educating cancer patients, survivors, legislators, caregivers, families and friends about the need for cancer research funding.

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**NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim the month of September 2011 as**

**\* ACTION IN THE FIGHT AGAINST CANCER 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  
GOVERNOR**

**DONE at the Capitol in Phoenix on this first day of September in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.**

**ATTEST:  
Ken Bennett  
Secretary of State**

**\* ARIZONA WATER REUSE WEEK \***

[M11-301]

**WHEREAS, safe, clean and sustainable water resources are essential to the health and well-being of Arizona's environment, economy, citizens, and visitors; and**

**WHEREAS, although Arizona's water supplies are finite, the state's population and the need for water resources continues to increase; and**

**WHEREAS, water reuse provides a means for conserving and augmenting Arizona's precious water resources and is crucial to the State's sustainable water future; and**

**WHEREAS, Arizona was one of the first states to begin reuse of treated wastewater—in 1926 at Grand Canyon Village for power generation, steam locomotive use and toilet flushing, and in 1932 in Phoenix for agriculture; and**

**WHEREAS, Arizona's first large-scale engineered aquifer recharge project using reclaimed water began operation in Tucson in 1986; and**

**WHEREAS, Arizona is a national leader in water reuse, reusing reclaimed water from 65 percent of its wastewater treatment plants to conserve freshwater supplies and replenish our rivers, streams, lakes, and aquifers; and**

**WHEREAS, Arizona currently reuses more than 200 million gallons per day of reclaimed water for beneficial uses and conveys another 32 million gallons per day for aquifer recharge, thereby extending freshwater resources; and**

**WHEREAS, Arizona continues to lead in the management of scarce water resources through development of new and more efficient uses of recycled water; and**

**WHEREAS, the Board of Trustees of WaterReuse Arizona have endorsed the third week of September as the Arizona's Water Reuse Week.**

**NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 11-17, 2011 as**

**\* ARIZONA WATER REUSE 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  
GOVERNOR**

**DONE at the Capitol in Phoenix on this first day of September in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.**

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**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

**\* ASSISTED LIVING WEEK \***

[M11-307]

**WHEREAS**, the number of elderly and disabled Americans is dramatically increasing; and

**WHEREAS**, assisted living is a long term care service that fosters choice, dignity, independence and autonomy in our elderly and others nationwide; and

**WHEREAS**, assisted living communities, staff and surveyors work hard to make sure those who choose assisted living have a happy and healthy life; and

**WHEREAS**, the National Center for Assisted Living proudly created National Assisted Living Week®; and

**WHEREAS**, the theme of National Assisted Living Week® 2011—"Forever Proud"—highlights the opportunity to share with our residents a multitude of events and activities that demonstrate how much we care for and love them.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 11-17, 2011 as

**\* ASSISTED LIVING WEEK \***

and urge all Arizona citizens to visit friends and loved ones who reside at these facilities and also learn more about assisted living services and how they benefit Arizona's communities.

**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 first day of September in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

**\* CHRONIC MYELOGENOUS LEUKEMIA AWARENESS DAY \***

[M11-303]

**WHEREAS**, Chronic Myelogenous Leukemia (CML) is a rare form of leukemia impacting 5,000 individuals a year in the United States affecting their livelihood and quality of life; and

**WHEREAS**, while there are many advanced treatments for CML, 1,000 individuals will lose their battle to this disease this year; and

**WHEREAS**, CML is not confined to any group or groups of people, but cuts across all economic, racial and societal barriers; and

**WHEREAS**, continued research toward a cure, education, and increased awareness are important measures in improving the quality of life for those living with Chronic Myelogenous Leukemia and fighting this disease.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 22, 2011 as

**\* CHRONIC MYELOGENOUS LEUKEMIA AWARENESS DAY \***

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

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

**DONE** at the Capitol in Phoenix on this first day of September in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

**\* EMPLOYER SUPPORT OF THE GUARD AND RESERVE WEEK \***

[M11-306]

**WHEREAS**, throughout history, America has counted on brave individuals willing to put on the uniform to protect our land and defend our way of life; and

**WHEREAS**, the men and women of the National Guard and Reserve have demonstrated the highest form of citizenship, and their service is vital to the security of our country and peace of the world; and

**WHEREAS**, in the highest American tradition, the patriotic men and women of the Guard and Reserve serve voluntarily in an honorable and vital profession and are trained to respond to their community and their country in time of need; and

**WHEREAS**, the National Guard and Reserve are essential to the strength of our nation and the well-being of our communities; and

**WHEREAS**, the State of Arizona, fully recognizes, honors and enforces the Uniformed Services Employment and Reemployment Rights Act (USERRA) and has the tools it needs to effectively manage those employees who serve in the Guard and Reserve; and

**WHEREAS**, the State of Arizona, will continually recognize and support our country's service members and their families in times of peace, crisis or war.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 19-23, 2011 as

**\* EMPLOYER SUPPORT OF THE GUARD AND RESERVE 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 first day of September in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

**\* LEUKEMIA, LYMPHOMA & MYELOMA AWARENESS MONTH \***

[M11-300]

**WHEREAS**, blood cancers currently afflict more than 958,000 Americans with nearly 137,000 new cases diagnosed each year; and

**WHEREAS**, leukemia, lymphoma and myeloma will kill an estimated 54,000 people in the United States this year; and

**WHEREAS**, The Leukemia & Lymphoma Society, through voluntary contributions, is dedicated to finding cures for these diseases through research efforts and the support for those that suffer from them; and

**WHEREAS**, The Leukemia & Lymphoma Society maintains an office in Phoenix to support patients with these diseases and their family members in the State of Arizona; and

**WHEREAS**, the State of Arizona is similarly committed to the eradication of these diseases and supports the treatment of its citizens who suffer from them; and

**WHEREAS**, the State of Arizona encourages private efforts to enhance research funding and education programs that address these diseases.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim the month of September 2011 as

**\* LEUKEMIA, LYMPHOMA & MYELOMA 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 first day of September in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

**\* RED RIBBON WEEK \***

[M11-308]

**WHEREAS**, the Red Ribbon Campaign was established by Congress in 1988 to encourage a drug-free lifestyle and to promote involvement in drug prevention and reduction efforts; and

**WHEREAS**, the consequences of drug abuse and addiction continue to have a profound effect on individuals, families and communities nationwide; and

**WHEREAS**, substance abuse prevention efforts can be a catalyst for creating healthier communities and promoting an improved quality of life; and

**WHEREAS**, governments and community leaders know that citizen support is one of the most effective tools in the effort to reduce the use of illegal drugs in our communities; and

**WHEREAS**, celebrating Red Ribbon Week is a unified way for communities to take a stand against drugs and show intolerance for illicit drug use and the consequences to all Americans; and

**WHEREAS**, the red ribbon has been chosen as a symbol commemorating the work of Enrique "Kiki" Camarena, a U.S. Drug Enforcement Administration agent who was murdered in the line of duty, and represents the belief that one person can make a difference.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim October 23-31, 2011 as

**\* RED RIBBON WEEK \***

and encourage Arizonans to demonstrate their ardent opposition to drugs by wearing a red ribbon and participating in community anti-drug events.

**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 first day of September in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

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**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

**\* WATCH OUT FOR WILDLIFE AWARENESS WEEK \***

[M11-305]

**WHEREAS**, healthy wildlife populations are an integral part of Arizona's natural environment, serve as an indicator for the overall health of Arizona's statewide ecosystems, and generate \$2.54 billion in hunting, fishing and watchable wildlife revenue for the State of Arizona; and

**WHEREAS**, each year in the U.S. more than 200 people are killed in wildlife-vehicle collisions, 26,000 are injured and more than 1.5 million animals are hit on road; and

**WHEREAS**, the average cost of property damage from these collisions is over \$1 billion, and the total cost to society annually is \$8.4 billion; and

**WHEREAS**, the success of wildlife movement and survival in Arizona remains dependent upon continued public education and increased understanding of the essential role migration corridors play in wildlife movement; and

**WHEREAS**, hunting, fishing and wildlife watching are some of the most popular outdoor recreational activities for tourists and residents in Arizona.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 18-24, 2011 as

**\* WATCH OUT FOR WILDLIFE AWARENESS WEEK \***

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

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

**DONE** at the Capitol in Phoenix on this first day of September in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

**\* A WEEK WITHOUT VIOLENCE \***

[M11-304]

**WHEREAS**, the Children's Benefit Foundation, a 501(C)(3) organization, makes substantial contributions to the future of Arizona by promoting a C.O.O.L. (choice of optimum lifestyle) and a G.O.O.D.® (get off of Drugs, Drinking, Danger and Debt) lifestyle; and

**WHEREAS**, excellence in wellness and good health is dependent on a safe and healthy environment, in the home, and in the community; and

**WHEREAS**, the safety and well-being of everyone's lives are unnecessarily jeopardized by crime and violence in the form of gangs, spousal and child abuse, drug and alcohol abuse, vandalism, and school shootings in our growing communities; and

**WHEREAS**, it is our responsibility as residents of this State to support each other in advocating non-violence and securing a future for our children and safe families; and

**WHEREAS**, all citizens respectfully should view violence as one of our nation's biggest challenges and look for a solution to end the violence; and

**WHEREAS**, numerous businesses, schools, national programs and organizations around the world are among those creating answers; and

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**WHEREAS**, the observance of "A WEEK WITHOUT VIOLENCE" will create awareness, educate and strengthen the message that we can substantially promote all of our state and nation to join us in our campaign advocating non-violence and make a solemn commitment to end the violence and promote peace, making our community a safer place to live.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim October 2-9, 2011 as

**\* A WEEK WITHOUT VIOLENCE \***

**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 first day of September in the year Two Thousand Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**

**EXECUTIVE ORDER 2011-05**

**State Regulatory Rule Making Review and Moratorium 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 June 30, 2012 as a notice to the public regarding state agencies' rulemaking activities.*

[M11-234]

**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 additional and unnecessary burdens on our private sector employers and political subdivisions; and

**WHEREAS**, other states have since implemented regulatory reviews and moratoriums; and

**WHEREAS**, the economic climate in Arizona continues to challenge both those seeking employment and our employers, who are the key to increasing job opportunities in this State; and

**WHEREAS**, a predictable regulatory climate in this State will promote job creation and retention; and

**WHEREAS**, the Legislature enacted the regulatory review and moratorium for fiscal year 2009 - 2010 by passing House Bill 2008 in the 2009 Third Special Session; and

**WHEREAS**, the Legislature continued the regulatory review and moratorium for fiscal year 2010 - 2011 by passing House Bill 2260 in the 2010 Second Regular Session; and

**WHEREAS**, the current regulatory review and moratorium expires on June 30, 2011; and

**WHEREAS**, the expiration of the current regulatory review and moratorium could result in a regulatory explosion detrimental to job creation and retention in this State; and

**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 that for fiscal year 2011-2012 ending June 30, 2012, 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 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 govern-

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- ment against an agency for failure to conduct the rule making 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, 2012 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 processes.
  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 Governor by July 29, 2011 all pending rule makings and any pending requests to the Office of Governor for rule making.
  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.

**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 30th day of June in the year Two Thousand Eleven and of the Independence of the United States of America the Two Hundred and Thirty-fifth.

**ATTEST:**  
**Ken Bennett**  
**Secretary of State**