

**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 PEACE OFFICERS MEMORIAL WEEK \*  
\* ARIZONA PEACE OFFICERS MEMORIAL DAY \***

[M12-136]

**WHEREAS**, the peace officers of the State of Arizona are known for their devotion and dedication to the pursuit of preserving the peace and safety of every man, woman, and child in this State; and

**WHEREAS**, the peace officers of the State of Arizona are engaged in a difficult and sometimes dangerous profession, which at times can lead to injury or even the death of these officers; and

**WHEREAS**, each day, the peace officers of the State of Arizona endeavor to reduce crime on our streets, dangers on our highways and roadways, and injury and death of our citizens, as well as protect us from all other kinds of crimes; and

**WHEREAS**, the peace officers of the State of Arizona also engage in crime prevention programs designed to further enhance the peace and safety of all citizens.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim May 6 – 12, 2012 as

**\* ARIZONA PEACE OFFICERS MEMORIAL WEEK \***

and May 7, 2012 as

**\* ARIZONA PEACE OFFICERS MEMORIAL DAY \***

and urge all citizens of the State to recognize and remember the sacrifices that these officers and their families have made and the legacy they have entrusted to all of us.

**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 April in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

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

**\* PROSTATE CANCER AWARENESS MONTH \***

[M12-140]

**WHEREAS**, prostate cancer is caused by cells growing abnormally in the prostate, which is a male sex gland located underneath the bladder, surrounding the urethra; and

**WHEREAS**, prostate cancer is the second most common cancer in American men and 70 percent of those diagnosed are men 65 years of age or older; and

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**WHEREAS**, the State of Arizona records more than 3,300 new prostate cancer diagnosis per year, and 550 deaths from prostate cancer per year; and

**WHEREAS**, nearly 75 men in the United States die from prostate cancer every day and African American men have the highest rates of prostate cancer in the world; and

**WHEREAS**, there are no noticeable symptoms or signs of prostate cancer in the early stages of the disease; and

**WHEREAS**, all men are at risk of having prostate cancer and are at a higher risk with factors including a history of prostate cancer in the family; heavy alcoholic drinking, lack of exercise and poor diet; a history of STD's; and being 50 years of age or older; and

**WHEREAS**, ongoing medical research promises further advancements in prostate cancer prevention, early detection, and treatments; and

**WHEREAS**, educating people, including health care providers, about prostate cancer and early detection strategies is important to saving the lives of men and preserving and protecting families.

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

**\* PROSTATE CANCER AWARENESS MONTH \***

and encourage all men in the State of Arizona to become aware of the risks of prostate cancer, talk to their health care providers, and whenever appropriate, get screened for this disease.

**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 April in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

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

**\* ALS AWARENESS MONTH \***

[M12-142]

**WHEREAS**, Amyotrophic Lateral Sclerosis (ALS) is often referred to as Lou Gehrig's disease; and

**WHEREAS**, ALS is a fatal neurodegenerative disease characterized by degeneration of cell bodies of the lower motor neurons in the gray matter of the anterior horns of the spinal cord, with weakness of the skeletal muscles, especially those of the extremities being the initial symptom; and

**WHEREAS**, approximately 30,000 individuals in the United States are afflicted with ALS, with 5,000 new patients diagnosed each year; and

**WHEREAS**, on average, patients diagnosed with ALS only survive two to five years from the time of diagnosis; and

**WHEREAS**, ALS strikes a person regardless of race, sex, age, or ethnicity and has no known cause, means of prevention, or cure; and

**WHEREAS**, as ALS progresses the patient experiences difficulty in swallowing, talking, and breathing eventually causing the muscles to atrophy and the patient becomes a functional quadriplegic; and

**WHEREAS**, ALS does not affect a patient's mental capacity, so that the patient remains alert and aware of their loss of motor functions and the inevitable outcome of continued deterioration and death; and

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**WHEREAS**, Amyotrophic Lateral Sclerosis Awareness Month increases the public's awareness of ALS patients' circumstances and acknowledges the terrible impact this disease has not only on the patient, but on his or her family and the community and recognizes the research being done to eradicate this horrible disease.

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

\* **ALS 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 thirteenth day of April in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

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

\* **ARIZONA ARBOR DAY** \*

[M12-144]

**WHEREAS**, in 1872, the holiday known as Arbor Day was first observed with the planting of more than a million trees; and

**WHEREAS**, trees play an important role in our lives providing oxygen, combating air pollution, offering a shady place to rest, fragrance, fruits, beauty, and contributing to the splendor and viability of our forests; and

**WHEREAS**, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and many other wood products; and

**WHEREAS**, trees are majestic treasures that share an interdependence with humans as they enhance the biological diversity of our environment with reduced energy consumption for the heating and cooling of buildings, and food and shelter not only for humans but wildlife as well; and

**WHEREAS**, trees will thrive and grow as long as citizens in urban, suburban and rural areas recognize the importance of caring for this wonderful resource.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim April 27, 2012 as

\* **ARIZONA ARBOR 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 thirteenth day of April in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

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

\* **ARIZONA TRAILS MONTH** \*

[M12-145]

**WHEREAS**, trails in Arizona enhance the quality of life for our citizens, increase tourism activity in the State and provide alternative transportation routes for our non-motorized vehicles; and

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**WHEREAS**, interest in outdoor recreational opportunities, including walking, bicycling hiking, kayaking, horseback riding, canoeing and Off-Road Vehicle riding is on the rise with Arizona residents and visitors; and

**WHEREAS**, regular hiking, can help prevent heart disease, decrease cholesterol levels, improve bone density, and most of all, reduce stress; and

**WHEREAS**, hiking leads to increased opportunities to control weight; hiking burns up 370 calories an hour (154-lb person); and

**WHEREAS**, hiking helps improve mental health. Research on mental health and exercise shows that the benefits of exercise can help reduce anxiety and improve mood through the following proposed mechanisms – releasing feel-good brain chemicals (neurotransmitters and endorphins) that may ease depression; reducing immune system chemicals that can worsen depression; increasing body temperature, which may have calming effects; and

**WHEREAS**, “American Trails” has selected Arizona for the location of the 2013 International Trails Symposium on April 14-17, 2013; and

**WHEREAS**, National Trails Day is an opportunity to increase public awareness of Arizona’s trail opportunities and promote the importance of a local and national network of trails and greenways.

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

**\* ARIZONA TRAILS MONTH \***

and urge all citizens to participate in a trails-related activity at a local, state, county or National Park or federal land management agency.

**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 thirteenth day of April in the year Two Thousand and Twelve, 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

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**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 government 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**