

**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.

**EXECUTIVE ORDER 2012-04
Continuance of the Arizona Juvenile Justice Commission
(Amends and Supersedes Executive Order 2010-08)**

[M12-239]

WHEREAS, the children of the State of Arizona are our most valuable resource and our most important responsibility; and

WHEREAS, efforts to keep Arizona children out of crime are important; and

WHEREAS, pursuant to Executive Order 2007-26 and amended by Executive Order 2010-08, the Arizona Juvenile Justice Commission was created to help address juvenile crime and child welfare issues within the state.

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 order as follows:

1. The Arizona Juvenile Justice Commission ("Commission") shall continue to serve in an advisory capacity over the duties for which it was established as set forth in the Juvenile Justice Delinquency Prevention Act of 1974, as amended ("JJDP").
2. The Commission shall:
 - a. Assist in the development of the State's Three-Year Plan for the implementation of the Juvenile Justice and Delinquency Prevention ("JJDP") Formula Grant program.
 - b. Serve as the State Advisory Board and assist in the development of the State's Three-Year Plan and associated updates for the implementation of the Juvenile Accountability Block Grant ("JABG") program, per the Omnibus Crime Control and Safe Streets Act, as amended.
 - c. Serve as the State Task Force and assist in the development of the State's Three-Year Plan and associated updates and establish funding priorities for the implementation of the Child Abuse Prevention and Treatment Act/Children's Justice Act ("CJA").
 - d. Serve as the State Council for Interstate Juvenile Supervision as required by A.R.S. § 8-368, Art. IX, the Interstate Compact for Juveniles ("Compact"), signed by Arizona in 2003 and effective in 2008. The Commission will direct Arizona's participation in Compact activities, develop state policy concerning operations and procedures of the Compact within Arizona, and perform other duties as assigned under the Compact.
3. The Governor's Office for Children, Youth and Families shall serve as the lead entity for administration of the Commission.
4. The Governor shall appoint the Chair for the Commission.
5. The Commission shall consist of no fewer than 15 members and no more than 33 members, who shall be appointed by and serve without compensation at the pleasure of the Governor. No more than half of members may be full time government employees. To the extent practicable and allowed by law, at least 20 percent of the Commission's members shall be under the age of 24 at the time of appointment. Commission Membership shall include:
 - a. One or more locally elected official representing local government, including at least one member of the Arizona Legislature.
 - b. Representatives of one or more law enforcement and juvenile justice agencies, such as:
 - Criminal court judges
 - Juvenile and family court judges
 - Probation workers
 - Prosecutors
 - State or local police departments
 - c. Representatives of one or more of the following public programs concerned with delinquency prevention, treatment or child welfare:

- Child advocates
 - Child Protective Services
 - Counsel for children and youth
 - Court appointed special advocates
 - Education
 - Mental health
 - Recreation
 - Social services
 - Special education
 - Welfare
 - Youth services
- d. Representatives of one or more private nonprofit organizations, concerned with:
- Delinquency prevention and treatment
 - Education
 - Family preservation
 - Neglected or dependent children
 - Parent groups and parent self-help groups
 - Quality of juvenile justice services
 - Social services for children
 - Victim advocacy
 - Youth development
- e. One or more volunteers who work with juvenile justice systems.
- f. One or more youth workers involved with programs that are alternatives to confinement, including organized recreation activities.
- g. One or more persons with experience and competence in addressing problems related to school violence and vandalism and alternatives to suspension and expulsion.
- h. One or more persons with experience and competence in addressing problems related to learning disabilities, emotional difficulties, child abuse and neglect, and youth violence.
- i. One or more adult former victims of child abuse and or neglect.
- j. One or more persons experienced in working with homeless children and youths.
- k. One or more victims' group representatives.
- l. The Interstate Compact for Juveniles Administrator.

This Executive Order amends and supersedes Executive Order 2010-08.

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 2nd day of July 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

*** ARIZONA SCOLIOSIS AWARENESS MONTH ***

[M12-202]

WHEREAS, scoliosis is an abnormal curvature of the spine, most of the time with no known cause; and

WHEREAS, scoliosis is a condition affecting 2 – 3 percent of the population, an estimated seven million people in the United States, and affects individuals without regard to gender, race, age or economic status; and

WHEREAS, the primary age of onset for scoliosis is between ten and fifteen with girls being eight times more likely to progress to a curve magnitude that requires treatment; and

WHEREAS, an estimated one million scoliosis patients utilize healthcare yearly, with approximately one of every four children with this condition eventually required to receive active medical treatment; and

Arizona Administrative Register / Secretary of State
Governor's Executive Orders/Proclamations

WHEREAS, screening programs allow for early detection and treatment opportunities which may alleviate the worst effects of the condition; and

WHEREAS, we must increase the public's awareness of scoliosis and help children, parents, adults, and healthcare providers understand, recognize and treat the complexities of spinal deformities such as scoliosis.

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

*** ARIZONA SCOLIOSIS AWARENESS MONTH ***

and encourage all citizens to increase awareness and education to fight scoliosis in Arizona.

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 May 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

*** ROSIE THE RIVETER DAY ***

WHEREAS, Rosie the Riveter Day is a day to recognize, preserve and remember the legacy of working women during World War II and to promote patriotism and fellowship among such members and their descendents; and

[M12-193]

WHEREAS, approximately six million women helped build planes, bombs, tanks and other weapons that were used in World War II; and

WHEREAS, nearly 18 million women worked in some other way or volunteered in support of the war effort by way of the American Red Cross or the local USO; and

WHEREAS, these women came forward and took over jobs that men were doing prior to the war. They drove streetcars, operated heavy machinery, worked in lumber mills, steel mills, defense plants and much more; and

WHEREAS, these women were referred to as "Rosie the Riveter," and in 1999, Rosie the Riveter Chapters were formed all over the United States in honor of these women and their service to the United States.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim May 26, 2012 as

*** ROSIE THE RIVETER 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 May 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 Administrative Register / Secretary of State
Governor's Executive Orders/Proclamations

* SMART IRRIGATION MONTH *

[M12-203]

WHEREAS, the State of Arizona recognizes that water is a finite resource, and is vital to human life; and

WHEREAS, well-maintained green spaces are important to the health and well being of communities and individuals; and

WHEREAS, the average Arizona family uses one-acre-foot or 325,900 gallons of water per year; and

WHEREAS, most water use occurs in and around the home, making this an opportunity for water conservation to be used most effectively; and

WHEREAS, appropriate irrigation technology, combined with best practices, can significantly reduce water usage and run-off while creating healthy lawns, landscaping, and sports turf; and

WHEREAS, for 100 ideas to save water and money, you can visit www.wateruseitwisely.com; and

WHEREAS, July is a peak month for the use of water for irrigation.

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

* SMART IRRIGATION MONTH *

and encourage citizens to use irrigation water efficiently.

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 May 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 MEN'S HEALTH WEEK *

[M12-206]

WHEREAS, despite advances in medical technology and research, men continue to live an average of five years less than women, with African-American men having the lowest life expectancy; and

WHEREAS, public awareness on the importance of a healthy lifestyle and early detection of male health problems can result in reducing rates of mortality from disease; and

WHEREAS, men who are educated about the value of preventative health will be more likely to participate in health screening; and

WHEREAS, the Men's Health Network worked with Congress to develop National Men's Health Week as a special campaign to help educate men and their families about the importance of positive health attitudes and preventative health practices; and

WHEREAS, Arizona Men's Health Week includes a focus on a broad range of men's health issues, including heart disease, diabetes, prostate, testicular and colon cancer.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim June 11 – 17, 2012 as

* ARIZONA MEN'S HEALTH WEEK *

and encourage citizens to participate in a healthy lifestyle, regular exercise, and preventative medical screenings as recommended by a healthcare professional.

Arizona Administrative Register / Secretary of State
Governor's Executive Orders/Proclamations

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 sixth day of June 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

*** ARMY INTELLIGENCE DAY ***

[M12-215]

WHEREAS, on July 1, 1962, the United States Secretary of the Army signed a General Order authorizing the creation of the Army Intelligence and Security Branch, later renamed the Military Intelligence branch; and

WHEREAS, in November, 1970, the Army Chief of Staff approved Fort Huachuca, Arizona as the site of the United States Army Intelligence Center and School (USAICS), one of only three Army Intelligence training sites in the Nation; and

WHEREAS, by 1971, USAICS at Fort Huachuca was named "The Home of Military Intelligence"; and

WHEREAS, on July 1, 1987, the Military Intelligence Corps was activated at Fort Huachuca; and

WHEREAS, over the years, the United States Army continued to consolidate the responsibility for nearly all intelligence training at Fort Huachuca; and

WHEREAS, today, the United States Army Intelligence Center of Excellence trains over 20,000 students annually, with more than half of them training at Fort Huachuca; and

WHEREAS, former and current leaders in Military Intelligence and visionary professionals have helped build the Military Intelligence Branch and Corps into what it is today.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim July 1, 2012 as

*** ARMY INTELLIGENCE DAY ***

and encourage the citizens of Arizona to recognize and celebrate the Gold and Silver Anniversaries of the Military Intelligence Branch and Corps.

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 June 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

*** DROWNING IMPACT AWARENESS MONTH ***

[M12-217]

WHEREAS, the drowning incidents in Arizona take the lives of the equivalent of a classroom of children each year; and

WHEREAS, a child drowning can happen to any family regardless of education, race, or socio-economic background; and

Arizona Administrative Register / Secretary of State
Governor's Executive Orders/Proclamations

WHEREAS, families can take simple steps to protect their children around water to avoid the tragedy of the unnecessary loss of life; and

WHEREAS, water safety remains a priority for Arizona families, communities, and government; and

WHEREAS, keeping children healthy and safe is the goal of Water Watchers at Phoenix Children's Hospital, fire departments, and other prevention organizations in Arizona, and raising awareness will increase understanding and education of effective ways to prevent drowning.

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

*** DROWNING IMPACT AWARENESS MONTH ***

and remind every citizen that the impact of child drowning in Arizona affects everyone.

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 June 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 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.

Arizona Administrative Register / Secretary of State
Governor's Executive Orders/Proclamations

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.
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