

**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 ADULT LITERACY WEEK \***

[M12-483]

**WHEREAS**, approximately 20 percent of Arizona's adults experience literacy issues that impair their lives and families, their ability to work productively, and their full participation as citizens and residents of Arizona; and

**WHEREAS**, the need for a highly literate citizenry is growing as Arizona's economy becomes increasingly information-based; and

**WHEREAS**, parents are their children's first teachers, preparing them to succeed in school and in life; and

**WHEREAS**, last year, Arizona's adult education providers supplied over two million hours of instruction to improve the literacy of Arizona's adults; and

**WHEREAS**, Arizona Adult Literacy Week will encourage and promote literacy and lifelong learning across our great State.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim February 10-16, 2013 as

**\* ARIZONA ADULT LITERACY 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 thirtieth day of November 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 DATA PRIVACY DAY \***

[M12-486]

**WHEREAS**, advances in information technology and the Internet enhance our lives by increasing our abilities to effortlessly communicate, create, learn and do business through the innovative use of such technologies; and

**WHEREAS**, the proliferation of information in hard copy and electronic formats, compounded by the ease of information access through an interconnected world create a global imperative and call to action for government, industry and society to identify data privacy risks and respond proactively to counteract threats to personal data privacy; and

**WHEREAS**, it is incumbent on private industry, non-profit organizations and government to: (1) continually examine the appropriateness of collecting, securing, managing and disposing of personal identifying information, whether in hard copy and electronic format; (2) abide by responsible and appropriate information management policies and practices; (3) support information privacy and security education within the organization; and (4) provide individuals with ease of access to the organization's information management policies and practices; and (5) promote resources which assist individuals to manage the privacy and online security of their personal information; and

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**WHEREAS**, in furtherance of the above, government officials from the United States, Canada, and Europe have joined with privacy professionals, academic communities, legal scholars, educators, business representatives, and others with an interest in raising awareness about data privacy issues to recognize Data Privacy Day; and

**WHEREAS**, in observance of Arizona Data Day, schools, businesses, citizens, and other interested groups are encouraged to participate with appropriate events, activities and initiatives that promote awareness of data privacy; enlist organizations to employ fair information and privacy practices; and advance responsible information sharing by citizens.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim January 28, 2013 as

**\* ARIZONA DATA PRIVACY 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-ninth day of November 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**

**\* CATHOLIC SCHOOLS WEEK \***

[M12-484]

**WHEREAS**, Catholic schools are committed to providing young students of all races and creeds with an education that emphasizes academic and moral values as well as teaching respect and love for God, country and fellow human beings; and

**WHEREAS**, Catholic schools provide opportunities for a quality education to children of all faiths, ethnicities and social economic levels; and

**WHEREAS**, each year people nationwide celebrate Catholic Schools Week to recognize the accomplishments of Catholic primary and secondary schools across the country, with this year's theme being "*Catholic Schools Raise the Standards.*"

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim January 27 - February 2, 2013 as

**\* CATHOLIC SCHOOLS WEEK \***

and urge all Arizona citizens to participate in the wide range of activities that will be held in our community to exemplify the best of Catholic education.

**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 tenth day of December 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**

**\* DAY OF MOURNING \***

[M12-489]

**WHEREAS**, the Town of Newtown, Connecticut, continues to suffer unimaginable grief from the tragic shootings at Sandy Hook Elementary School on Friday, December 14, 2012; and

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**WHEREAS**, the lives of 20 innocent children and 6 devoted educators were taken from their families, friends and communities at the hands of evil, impossible to comprehend; and

**WHEREAS**, the State of Arizona knows all-too-well the horror and heartbreak of an act so senseless and cruel, and offers its deepest sympathy and sincerest prayers to the State of Connecticut; and

**WHEREAS**, it is the nature of our Nation to rally together during the darkest and most desperate of times – bound by the faith, hope and love that allow us to emerge a stronger people; and

**WHEREAS**, we cannot fully heal or provide closure to the residents of Newtown or the State of Connecticut, but we can offer our eternal support and solidarity.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim and recognize December 21, 2012 as a

**\* DAY OF MOURNING \***

in the State of Arizona, and out of respect for the victims, their families and a State shaken by sorrow, I invite Arizona citizens to join me in observing this day with a moment of silence at 9:30 a.m. I further ask that places of worship and government buildings, if able, ring their bells 26 times during that moment in honor of the 26 beloved ones taken from us that fateful morning at Sandy Hook Elementary School.

**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 twentieth day of December 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**

**\* ENGINEERS WEEK \***

[M12-485]

**WHEREAS**, professional engineers have made significant contributions to Arizona throughout our history and are responsible, through their creativity and expertise, for technological achievements that have improved the quality of our lives and helped us compete in an increasingly complex world; and

**WHEREAS**, Arizona is home to several thousand licensed professional engineers who hold major responsibilities for the benefit and protection of Arizona citizens in the areas of public safety, health, welfare, the environment, transportation, structures, water, power, and communications, as well as mechanical, electrical and electronic devices important to everyday life; and

**WHEREAS**, there currently are hundreds of students enrolled in colleges of engineering on the campuses of Arizona's major universities, whose graduates have gone on to contribute to the economic health of our state and nation; and

**WHEREAS**, engineers contribute to the education of our young people, especially in the fields of mathematics and science, to meet even greater challenges in the future.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim February 17 - 23, 2013 as

**\* ENGINEERS 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**

Governor's Executive Orders/Proclamations

**DONE** at the Capitol in Phoenix on this tenth day of December 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**

**\* GLAUCOMA AWARENESS MONTH \***

[M12-488]

**WHEREAS**, glaucoma is the second leading global cause of blindness; affecting approximately 3 million Americans and 65 million people worldwide; and

**WHEREAS**, glaucoma is a serious eye disease that affects individuals regardless of age, gender, economic status, race or nationality, and if left untreated can lead to blindness, and once vision is lost, it is permanent; and

**WHEREAS**, glaucoma afflicts children as well and may go undiagnosed because many are unfamiliar with the early signs of this progressive disease; and

**WHEREAS**, blindness ranks third as a major health fear among Americans according to the Glaucoma Research Foundation; and

**WHEREAS**, while there is no cure for glaucoma; early detection through routine eye examinations and aggressive treatment upon diagnoses present the best opportunity to preserve sight; and

**WHEREAS**, this Nation is an innovative leader in eye care and the treatment of conditions like glaucoma.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim January 2013 as

**\* GLAUCOMA 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 thirtieth day of November 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**

**DECLARATION OF EMERGENCY**

**\* Town of Duncan – Greenlee County Flooding \***

[M12-475]

**WHEREAS**, between September 6 and September 12, 2012, a series of powerful rain storms passed through the southern portion of Greenlee County; and

**WHEREAS**, the heavy rains resulted in significant flooding, erosion, and debris flows which caused substantial damage to critical infrastructure in the Town of Duncan; and

**WHEREAS**, the flooding overtopped a main town road and eroded several portions of the road and shoulder, with the damage worsening after each subsequent storm; and

**WHEREAS**, Greenlee County has provided substantial assistance to the Town of Duncan due to a shortage of both equipment and personnel necessary to make repairs of this scale; and

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**WHEREAS**, the Greenlee County Board of Supervisors have declared a State of Emergency for their County for the flooding and condition of critical infrastructure; 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 northern Greenlee County 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 Greenlee County due to flooding, effective September 6, 2012; and
- b. Direct that the sum of \$100,000 from the General Fund be made available to the Director that the sum of \$100,000 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.

**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 October 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**

**TERMINATION OF EMERGENCY**

\* *Horseshoe 2 & Monument Fire – PCA 73003* \*

[M12-477]

**WHEREAS**, two wildfires blazed in Cochise County in the summer of 2011: the first fire, the “Horseshoe Two”, broke out in the Chiricahua Mountains on May 8, 2011 and a second blaze, the “Monument Fire,” began in the Coronado National Memorial/Coronado National Forest on June 12, 2011; and

**WHEREAS**, the fires combined burned over 250,000 acres and destroyed more than 65 structures, including 40 homes; and

**WHEREAS**, a state of emergency was declared on June 17, 2011 to address public health and safety concerns of the citizens, support costs not covered by the fire management assistance grants, and provide recovery support necessary following suppression of the fires; and

**WHEREAS**, the Governor’s Emergency Funds were expended pursuant to A.R.S. § 35-192, as amended; and

**WHEREAS**, pursuant to A.R.S. § 26-303(F), the Governor is authorized to proclaim the termination of emergency.

**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 terminate the declaration of the State of Emergency of June 17, 2011. All unexpended funds allocated to the emergency shall revert to the Governor’s Emergency Fund in accordance with A.R.S. § 35-192(F)(4).

**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**

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**DONE** at the Capitol in Phoenix on this twelfth day of October in the Year Two Thousand Twelve and of the Independence of the United States of America the Two Hundred and Thirty-Seventh.

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

**TERMINATION OF EMERGENCY**  
**\* Operation Good Neighbor – PCA 26003 \***

[M12-476]

**WHEREAS**, on August 29, 2005 Hurricane Katrina had catastrophic impacts to the State of Louisiana; and

**WHEREAS**, the State of Arizona accepted the request of the federal government to receive and support evacuees from the disaster area; and

**WHEREAS**, a State emergency was declared September 3, 2005 and federal declaration dated September 12, 2005 was provided to support the state's expenditures for sheltering, feeding and supporting the needs of the evacuees received; and

**WHEREAS**, the Governor's Emergency Funds were expended pursuant to A.R.S. § 35-192, as amended; and

**WHEREAS**, pursuant to A.R.S. § 26-303(F), the Governor is authorized to proclaim the termination of emergency.

**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 terminate the declaration of the State of Emergency of September 3, 2005. All unexpended funds allocated to the emergency shall revert to the Governor's Emergency Fund in accordance with A.R.S. § 35-192(F)(4).

**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 October in the Year Two Thousand 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

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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.
  - 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

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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**