

**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.

**\* ARIZONA PREPAREDNESS MONTH \***

[M13-245]

**WHEREAS**, the residents of Arizona are called to action to be prepared for any emergency, large or small; and

**WHEREAS**, the threat of foreign and domestic terrorism has caused all Americans to re-evaluate their levels of preparedness; and

**WHEREAS**, the State of Arizona and its residents often endure monsoon rains, flash floods, wildfires and extreme heat, which can damage property and infrastructure, threaten public safety, strain resources and impact state commerce; and

**WHEREAS**, residents are encouraged to be resilient and prepared for emergencies in their homes, businesses and schools by developing family communication plans and disaster preparedness kits; and

**WHEREAS**, State agencies and State employees should be prepared to educate others and provide help during and after a disaster; and

**WHEREAS**, emergencies and disasters can strike without warning, making it imperative that individuals, families, schools and industry "Prepare a Plan," "Make a Kit" and "Be Informed"; and

**WHEREAS**, the State of Arizona has partnered with Arizona Citizen Corps Councils, the Arizona Department of Homeland Security, the Arizona Department of Emergency and Military Affairs, and the Arizona Department of Health Services, among others, in recognizing the need for a broad public education program about the importance of being prepared.

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

**\* ARIZONA PREPAREDNESS MONTH \***

and encourage all residents to develop their own emergency preparedness plans.

**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 nineteenth day of August in the year Two Thousand and Thirteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

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

\* **ARIZONA RECOVERY MONTH** \*

[M13-246]

**WHEREAS**, good behavioral health is essential to one's overall wellness; and

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

**WHEREAS**, prevention of mental and/or substance use disorders works, treatment is effective, and people recover in Arizona and around the nation; and

**WHEREAS**, preventing and overcoming mental and/or substance use disorders is essential to achieving healthy lifestyles, both physically and emotionally; and

**WHEREAS**, almost four million people receive specialty treatment for a substance use disorder and more than 31.6 million adults receive services for mental disorders; and

**WHEREAS**, we must encourage relatives and friends of people with mental and/or substance use disorders to recognize the signs of a problem and guide those in need to appropriate treatment and recovery support services; and

**WHEREAS**, the benefits of preventing and treating mental and/or substance use disorders are significant and valuable to individuals, families, and communities and people in recovery can achieve a healthy lifestyle and contribute in many positive ways to the State of Arizona; and

**WHEREAS**, almost 100,000 Arizonans with behavioral health needs will become eligible for treatment as part of Medicaid Restoration, we must ensure that all of these individuals are enrolled into coverage; and

**WHEREAS**, the people of Arizona need to recognize the achievements of organizations that provide guidance, treatment and support to people across our state; and

**WHEREAS**, to help more people achieve and sustain long-term recovery the Substance Abuse and Mental Health Services Administration, the State of Arizona, the Arizona Department of Health Services and its partners and contracting organizations invite all residents to participate in National Recovery Month; and support a variety of events and initiatives such as the Arizona Recovery Expo, held this month at the Phoenix Convention Center.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 2013 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, "*Together on a Pathway to Wellness.*"

**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 nineteenth day of August in the year Two Thousand and Thirteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

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

**\* DIAPER NEED AWARENESS WEEK \***

[M13-247]

**WHEREAS**, 30 percent of Arizona's children under age five live below the federal poverty line; and

**WHEREAS**, access to a reliable supply of clean diapers is a necessity for the health and welfare of infants and toddlers, their families, and child and health care providers; and

**WHEREAS**, the average infant or toddler requires an average of 50 diaper changes per week over a three year period; and

**WHEREAS**, a supply of diapers is generally an eligibility requirement for infant and toddlers to participate in childcare programs; and

**WHEREAS**, when infants and toddlers cannot participate in childcare programs, it makes it very difficult for their parents and guardians to participate in the workforce, thereby causing economic harm to many families; and

**WHEREAS**, economic opportunity for individuals can lead to improved health for families and their communities; and

**WHEREAS**, various community organizations recognize the importance of providing diapers to help families achieve better economic stability and distribute diapers to low income families.

**NOW, THEREFORE**, I, Janice K. Brewer, Governor of the State of Arizona do hereby proclaim September 8 – 14, 2013 as

**\* DIAPER NEED AWARENESS WEEK \***

and encourage the citizens of this great State to donate generously to diaper banks, diaper drives, and those organizations that distribute diapers to families in need to help alleviate diaper need 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 nineteenth day of August in the year Two Thousand and Thirteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

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

**\* MASSING OF THE COLORS AND SERVICE OF REMEMBRANCE DAY \***

[M13-250]

**WHEREAS**, it is fitting that we honor the American patriots who made the supreme sacrifice in the wars and conflicts in which our country has engaged and to the heroes of 9/11; and

**WHEREAS**, it is most appropriate that a period of time be set aside and consecrated during which we may revere and honor the memory of these honored dead, pay due homage to their valor, deeds, and sacrifice, and reflect upon their high service to our community and our nation; and

**WHEREAS**, it is for us, the living, to rededicate ourselves to the preservation of the heritage, traditions, and ideals for which these patriots gave their lives that our flag may forever wave in freedom and our people never suffer the burden of oppression; and

**WHEREAS**, the 49<sup>th</sup> Annual Massing of the Colors and Service of Remembrance is made possible by the Phoenix Chapter of the Military Order of the World Wars.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 8, 2013 as

\* **MASSING OF THE COLORS AND SERVICE OF REMEMBRANCE DAY** \*

and urge all Arizonans to honor and revere the memory of all those who have died on the battlefield in defense of our beloved land, in the preservations of the ideals on which our Nation was founded, and upon which it has endured.

**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 nineteenth day of August in the year Two Thousand and Thirteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

**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:

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

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- 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**