

**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, Proclamations of General Applicability, and ceremonial dedications 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 DIRECT SUPPORT PROFESSIONALS APPRECIATION WEEK \***

[M14-229]

**WHEREAS**, the United States Senate has designated the week of September 7 – 13, 2014 as National Direct Support Professionals Recognition Week; and

**WHEREAS**, National Direct Support Professionals Recognition Week is celebrated annually across the country with special events and ceremonies earmarked to honor the tens of thousands of workers who help our citizens with developmental disabilities and their families to live healthy community-oriented lives; and

**WHEREAS**, the combined efforts of the Department of Economic Security (DES), Division of Developmental Disabilities (DDD), the Arizona Association of Providers for People with Disabilities (AAPPD), the Arizona service provider community, and other government and statewide community-based organizations are recognizing Direct Support Professionals during the week of September 22 through 26th; and

**WHEREAS**, annually over 4,000 contracted agencies, and independent providers are working with the Department of Economic Security, Division of Developmental Disabilities to serve over 30,000 children and adults with developmental disabilities and their families with direct care supports to maintain and enhance quality of life; and

**WHEREAS**, we are encouraging the community to show direct support professionals serving persons with developmental disabilities how much they appreciate them; and

**WHEREAS**, by calling attention to the importance of high quality direct care for all persons with developmental disabilities within our community and State, we endeavor to continuously improve the quality and availability of such services; and

**WHEREAS**, the future of persons with developmental disabilities depends on the quality of direct supports provided from caring and competent direct support professionals; and

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 22 – 26, 2014 as

**\* ARIZONA DIRECT SUPPORT PROFESSIONALS APPRECIATION 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 fourteenth day of August in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

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

**Governor's Executive Orders/Proclamations**

**\* CONSTITUTION WEEK \***

[M14-224]

**WHEREAS**, September 17, 2014 marks the 227<sup>th</sup> anniversary of the drafting and signing of the Constitution of the United States of America; and

**WHEREAS**, it is fitting and proper to honor and recognize this magnificent, bedrock document; and

**WHEREAS**, it is imperative that we continue to educate ourselves, our fellow citizens and our future generations about the Constitution and America's founding principles of a limited federal government, individual liberty, separation of powers between the branches of government, and dual sovereignty between the states and the federal government.

**NOW, THEREFORE, I**, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 17 – 23, 2014 as

**\* CONSTITUTION WEEK \***

and ask our citizens to reaffirm the ideals of the visionary framers of the Constitution by vigilantly protecting the freedoms and liberties guaranteed to us by the Constitution, always remembering that lost rights may never be regained.

**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 thirty-first day of July in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

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

**DECLARATION OF EMERGENCY**

**\* Highway 89A Oak Creek Canyon \***

[M14-226]

**WHEREAS**, beginning on May 20, 2014 and continuing through June 3, 2014, the Slide Fire burned approximately 22,000 acres of the Coconino National Forest along and west of Highway 89A and Oak Creek Canyon; and

**WHEREAS**, the June 24, 2014 "Slide Fire Burned Area Emergency Response Report" that strong post-fire hydrophobic soil tendencies may more readily and unexpectedly cause large flooding, damage, and restrict access to part of Highway 89A and Oak Creek Canyon; and

**WHEREAS**, given the severity of post-fire emergency conditions, watersheds are likely to produce large floods, debris flows, mud-ash flows, and rock fall hazards imperiling public safety, commerce, and infrastructure until long-term re-vegetation stabilizes the burn area; and

**WHEREAS**, Highway 89A is the primary road through Oak Creek Canyon connecting Sedona and Flagstaff; and

**WHEREAS**, the United States Forest Service issued an emergency closure order effective July 3, 2014 continuing through September 30, 2014 on affected lands, roads, and trails; and

**WHEREAS**, Oak Creek Canyon is an important tourism destination heavily used by the recreating public; and

**WHEREAS**, the Coconino County Board of Supervisors declared a State of Emergency on July 1, 2014 due to likely flooding, sediment flow, and condition of public and private infrastructure; and

**WHEREAS**, the Governor is authorized to declare an emergency pursuant to A.R.S. § 26-303(D); and

**WHEREAS**, the Arizona Legislature has authorized the expenditure of funds in an event of an emergency pursuant to A.R.S. § 35-192.

*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 invested in me by the Constitution and Laws of the State, do hereby determine that the situation 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 on areas affected by the Slide Fire along and west of Highway 89A and Oak Creek Canyon effective May 20, 2014;
- b. Direct the Arizona Department of Transportation to coordinate with Coconino County, the Federal Highway Administration, the United States Forest Service, the United States Fish and Wildlife Service, and other regulatory agencies to implement safe, effective, and long-term engineering solutions on and along Highway 89A; 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 first day of August in the Year Two Thousand Fourteen and of the Independence of the United States of America the Two Hundred and Thirty-Ninth.

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

**TERMINATION OF EMERGENCY**

*\* December 2010 Flooding Emergency ~ PCA 73001 \**

[M14-227]

**WHEREAS**, between December 18, 2010 and December 22, 2010, a series of heavy rainstorms caused flash flooding damage to many locations in northwestern Arizona; and

**WHEREAS**, the heavy rains resulted in significant flooding causing extreme peril to public health and safety to the residents of the Beaver Dam/Littlefield and the Town of Colorado City in Mohave County; and

**WHEREAS**, the flooding created considerable damage to public and private properties, including the destruction of a lift station that is an essential part of the sewer system which serves the citizens; and

**WHEREAS**, a State of Emergency was declared on January 27, 2011 to address public health and safety concerns of the citizens and provide necessary recovery support; 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 January 27, 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**

**DONE** at the Capitol in Phoenix on this fifth day of August in the Year Two Thousand Fourteen and of the Independence of the United States of America the Two Hundred and Thirty-Ninth.

**ATTEST:**  
**Ken Bennett**

Secretary of State

**TERMINATION OF EMERGENCY**

*\* Northern Arizona Winter Storm Emergency ~ PCA 25004 \**

[M14-228]

**WHEREAS**, a winter storm arrived in Arizona on December 29, 2004, bringing excessive amounts of precipitation impacting areas of Northern Arizona; and

**WHEREAS**, rivers and creeks overtopped roads, caused road and bridge closures and impacted utility systems; and

**WHEREAS**, many Northern Arizona towns and communities evacuated residents in low lying areas and shelters were opened; and

**WHEREAS**, a State of Emergency was declared on December 29, 2004 to address public health and safety concerns of the citizens and provide necessary recovery support; 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 December 29, 2004. 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 fifth day of August in the Year Two Thousand Fourteen and of the Independence of the United States of America the Two Hundred and Thirty-Ninth.

**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

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

---

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 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**