

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, 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 CAREERS IN ENERGY WEEK *

[M14-308]

WHEREAS, energy serves as the bedrock of our way of life and shows up at the flip of a switch or the turn of a dial to do the work of the people of Arizona; and

WHEREAS, energy weaves in and out of every life and is invisible to most but essential to all; and

WHEREAS, an invisible matrix of power pulses throughout all modern human endeavors, felt but not seen, often overlooked but never missing; and

WHEREAS, energy generates commerce and fuels economic growth and supports modern society's complex systems including patient care, air traffic control, running a business or even a state; and

WHEREAS, energy supplies the simple things in life including heating, cooling, cooking, and lighting; and

WHEREAS, energy makes possible the fun things in life – lights at the baseball field, air conditioning at the theater, rides at the state fair; and

WHEREAS, energy provides careers to tens of thousands of residents who serve in every community; and

WHEREAS, energy careers range from lineworker to engineer, construction specialist to accountant, chemist to environmentalist, maintenance laborer to executive – all valued and all essential; and

WHEREAS, to promote continuity and meet the challenges of the growing economy, new workers are needed to bridge into the future by replacing retiring workers and maintaining a skilled and engineering workforce; and

WHEREAS, to promote the goals established in the Governor of Arizona's 2013 statewide master energy plan, empower Arizona, to Make Arizona a Leader in Energy-Sector Workforce Development and Educate Our Next Generation of Energy Professionals; and

WHEREAS, through strategic partnerships, the Arizona Sun Corridor–Get Into Energy Consortium (ASC-GIEC) strives to promote a unified and results oriented effort to ensure Arizonans find new and rewarding careers in energy so that Arizona can continue to grow in prosperity.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim October 13 – 19, 2014 as

* ARIZONA CAREERS IN ENERGY WEEK *

and, I further encourage all citizens to become familiar with the services and benefits offered by the career and technical education programs in this community and to support and participate in these programs to enhance their individual work skills and productivity.

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 seventh day of October 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

*** ARIZONA CITIES AND TOWNS WEEK ***

[M14-309]

WHEREAS, cities and towns are the level of government closest to the people and represent the ultimate expression of grassroots democracy; and

WHEREAS, approximately 80 percent of the citizens of Arizona reside within one of the 91 incorporated cities and towns in our state; and

WHEREAS, cities and towns in Arizona work 24 hours a day, seven days a week to deliver vital city services such as fire, police and emergency medical response to ensure safe communities; and

WHEREAS, cities and towns in Arizona also provide services and programs that enhance the quality of life for residents such as parks, utilities, street maintenance, sanitation and recycling services, libraries, community centers and recreational programs; and

WHEREAS, cities and towns are critical to the economic success of Arizona by hosting more than 90 percent of the businesses in the state, and in partnering with state government and private enterprise to foster more economic growth.

NOW, THEREFORE, I Janice K. Brewer, Governor of the State of Arizona, join with the League of Arizona Cities and Towns and municipalities across the state in proclaiming October 19 – 25, 2014 as

*** ARIZONA CITIES AND TOWNS 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 twentieth day of October 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

*** DRIVE SAFER SUNDAY ***

[M14-302]

WHEREAS, more than 32,000 people are killed each year in crashes on U.S. highways and roadways; in 2012, 821 people were killed on Arizona highways and roadways; and

WHEREAS, many of these fatal car crashes can be avoided by simply exercising patience, caution and awareness on the roads; and

WHEREAS, drivers should prepare themselves for the unpredictable behaviors other drivers, disabled vehicles, spilled cargo, adverse weather conditions and many other potential dangers that they may encounter on roadways; and

WHEREAS, it is always important for motorists to focus on driving, eliminate distractions, buckle up and use child seats, maintain safe speeds and drive defensively to avoid preventable accidents. Staying focused on driving allows a motorist to react quickly and correctly in any situation; and

WHEREAS, many individuals and organizations in Arizona are working to increase awareness of the need for driver safety; and

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WHEREAS, the Sunday after Thanksgiving is one of the busiest highway travel days of the year.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim November 30, 2014 as

*** DRIVE SAFER SUNDAY ***

and, I further encourage citizens to focus on driving more safely throughout Arizona and across other states.

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 seventh day of October 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

*** ELECCIÓN GENERAL DE 2014 ***

[M14-303]

Considerando que, el Artículo 7, Sección 11 de la Constitución del estado de Arizona dispone que habrá una elección general de Representantes al Congreso y de funcionarios Estatales, de los Condados y de los recintos electorales el primer martes después del primer lunes en noviembre del primer año de número par en cual Arizona fue admitido como Estado y bianualmente a partir de entonces; y

Considerando que, el Artículo 6, Sección 38, de la Constitución del Estado de Arizona dispone que el nombre de cualquier magistrado o juez de la Corte Suprema o de una Corte Intermedia de Apelaciones, y cualquier juez de la Corte Superior excepto los jueces de la Corte Superior en los condados que tienen una población de menos de doscientos cincuenta mil personas, según el censo de los Estados Unidos, cuya declaración de deseo de ser retenido en su cargo ha sido presentada a la oficina del Secretario de Estado y certificada a los varios Consejos de Supervisores, será puesto en la apropiada boleta electoral en la próxima elección general normal bajo la designación no partidaria; y

Considerando que, el Artículo 4, parte 1, Sección 1 (10), de la Constitución del Estado de Arizona dispone que cuando cualquier petición de Iniciativa o Referéndum o cualquier medida referida al pueblo por la Legislatura será presentada, de acuerdo con esta sección, al Secretario de Estado, que causará que se impriman el título y número de tal medida en la boleta electoral oficial, junto con la palabras "Sí" y "No" en tal manera que los electores puedan expresar en las urnas electorales su aprobación o desaprobación de la medida; y

Considerando que, La Sección 16-214, Estatutos Revisados de Arizona, dispone que, por lo menos 30 días antes de una elección general, el o la Gobernador(a) emitirá una proclamación que contiene una declaración de la fecha de la elección y los cargos que deben ser llenados y transmitirá una copia de la proclamación de elecciones al funcionario encargado de las elecciones de los varios condados:

AHORA, POR CONSIGUIENTE, yo, Janice K. Brewer, Gobernadora del Estado de Arizona, por la presente proclamo la

*** ELECCIÓN GENERAL DE 2014 ***

Se llevará a cabo en la forma prevista por ley el primer martes después del primer lunes de noviembre 2014, que será el Martes 4 de Noviembre, 2014, para la elección de los siguientes puestos: nueve Representantes al Congreso de los Estados Unidos, un Gobernador, un Secretario de Estado, un Procurador General, un Tesorero de Estado, un Superintendente de Instrucción Pública, un Inspector de Minas del Estado, dos Comisionados a la Comisión Corporativa, treinta Senadores Estatales, sesenta Representantes Estatales, dos Jueces de la Corte Suprema de Arizona, cinco Jueces de la Corte de Apelación División Uno de Arizona, y un Juez de la Corte de Apelación División Dos;

Y para cada uno de los condados del Estado, como se prescribe por la ley, tales funcionarios, jueces, jueces de paz,

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alguaciles y consejos directivos de distritos escolares y colegios comunitarios de los condados, que sean aplicables en cada uno de esos condados;

Y para ofrecer una oportunidad a los electores calificados del Estado de Arizona de votar para cualquier medida o enmienda constitucional referida e iniciada que se presenten en la forma prescrita por la ley.

EN FE DE LO CUAL, he firmado de mi puño y letra y he causado que se coloque el Gran Sello del Estado de Arizona.

Janice K. Brewer
GOBERNADORA

HECHO en el Capitolio en Phoenix, en el día veinticuatro de septiembre del año dos mil catorce y de la Independencia de los Estados Unidos de América el doscientos treinta y nueve.

DOY FE:
Ken Bennett
Secretario de Estado

*** LIGHTS ON AFTERSCHOOL DAY ***

[M14-310]

WHEREAS, quality afterschool programs provide safe and fun learning environments to help children and youth develop their social, emotional, physical, and academic skills; and

WHEREAS, afterschool programs contribute to stronger communities by involving parents, business leaders, and adult volunteers in the lives of our young people, thereby promoting positive relationships among children, youth, families, and adults; and

WHEREAS, more than 15 million children across the country are left home alone after school; and

WHEREAS, *Lights On Afterschool*, a national celebration of afterschool programs, promotes the importance of quality afterschool programs in the lives of children and youth, their families and their communities.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim October 23, 2014 as

*** LIGHTS ON AFTERSCHOOL DAY ***

and, I further encourage Arizonans to engage in activities that ensure the lights stay on and the doors stay open for Arizona children after 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 October 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

EXECUTIVE ORDER 2014-08

The Governor's Council on Infectious Disease Preparedness and Response

[M14-307]

WHEREAS, infectious diseases are responsible for more deaths worldwide than any other single cause; and

WHEREAS, the State of Arizona has a responsibility to safeguard and protect the health and well-being of its citizens from the spread of infectious diseases; and

WHEREAS, federal, state, and local coordination on infectious disease planning and response is critical to reducing the risk of transmission; and

WHEREAS, public health and medical preparedness and response guidelines are crucial to protect the safety and welfare of our citizens; and

WHEREAS, on September 30, 2014, the first case of Ebola diagnosed in the United States occurred in Dallas, Texas; and

WHEREAS, the Arizona Department of Health Services is currently engaged in infectious disease preparedness, including surveillance for potential Ebola cases in Arizona; and

WHEREAS, the key to successfully controlling an infectious disease is early detection, early infection control measures, proper case management, surveillance, treatment, and, if necessary, isolation and quarantine.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, by virtue of the authority vested in me as Governor by the Constitution and Laws of the State, do hereby order as follows:

1. The Arizona Council on Infectious Disease Preparedness and Response (Council) is established.
2. Membership of the Council shall include the following individuals appointed by the Governor:
 - Two representatives from the Arizona Department of Health Services;
 - Three representatives from healthcare systems that include a tertiary care hospital;
 - One representative from a general hospital in a county with less than 500,000 persons;
 - Two representatives from a County Health Department with more than 950,000 persons;
 - One representative from a County Health Department with less than 950,000 persons;
 - One representative from the Arizona Hospital and Healthcare Association;
 - One representative from the Emergency Medical Services Council;
 - One representative from the Arizona Academy of Family Physicians;
 - One representative from the Arizona Medical Association;
 - One representative from the Arizona College of Emergency Physicians;
 - One representative from the Arizona Nurses Association;
 - One representative from the Arizona Department of Emergency and Military Affairs;
 - One representative from the Arizona Department of Public Safety;
 - One representative from the Arizona Department of Homeland Security;
 - One representative from a University;
 - One representative from Indian Health Services; and
 - At the sole discretion of the Governor, additional members with relevant experience.
3. The members of the Council shall serve at the pleasure of the Governor.
4. The Director of the Arizona Department of Health Services shall serve as Chair of the Council.
5. The Council shall:
 - Develop and implement a coordinated comprehensive plan to ensure Arizona's public health infrastructure is prepared for the potential outbreak of infectious diseases, such as the Ebola virus, influenza, Enterovirus, Tuberculosis, and other emerging infectious diseases, and can provide rapid response that effectively protects the safety and well-being of Arizonans.
 - The plan should include methods for rapidly identifying and assessing cases, protocols for providing healthcare treatment and infection control to prevent healthcare worker infections, and case contact investigations to prevent secondary infections in the community; and

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- Strengthen collaboration among healthcare organizations, medical communities, government agencies, law enforcement, non-profit organizations, and the community-at-large in order to effectively address infectious disease transmission and treatment; and
 - Serve as a reliable and transparent source of information and education for Arizona leadership and citizens; and
 - Provide a preliminary report on its findings and recommendations, including progress made on implementation of the plan and recommendations for additional needs and response activities, to the Governor by December 1, 2014. Continue to report to the Governor on a regular basis as the situation requires, and may include preliminary recommendations that require legislative action as the Council deems necessary.
6. The Council shall be staffed by the Arizona Department of Health Services.
 7. The Chairperson may form an executive committee or other sub-committees as necessary.
 8. The status of the Council shall be reviewed no later than September 30, 2015, to determine appropriate action for its continuance, modification or termination.
 9. This Executive Order shall take effect immediately upon signature.

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 October 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 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