

6038, 13/1984/OCT/31-2  
c. 1



D0049 84

# State of Colorado

EXECUTIVE CHAMBERS

DENVER

RICHARD D. LAMM  
Governor

## EXECUTIVE ORDER

### NATURAL RESOURCE DAMAGES LITIGATION EXPENSES

WHEREAS, the state is the trustee of all the natural resources within the boundaries of Colorado; and

WHEREAS, in December 1983, pursuant to the Comprehensive Environmental Response Compensation and Liability Act, the state filed the following suits in United States District Court for the State of Colorado Colorado:

1. State of Colorado v. ASARCO, Inc., Resurrection Mining Company and RES-ASARCO Joint Venture (Yak Tunnel), No. 83-C-2388.
2. State of Colorado v. Idarado Mining Co., Newmont Services Ltd., and Newmont Mining Corporation, No. 83-C-2385.
3. State of Colorado v. Cotter Corporation, No. 83-C-2389
4. State of Colorado v. ASARCO, Inc. (Globe Plant), No. 83-C-2383.
5. State of Colorado v. New Jersey Zinc Company, Gulf & Western Industries, Inc. (Eagle Mine), No. 83-C-2387.
6. State of Colorado v. Union Carbide Corporation (Uravan), No. 83-C-2384.
7. State of Colorado v. U.S. Army Corps of Engineers, Shell Oil Company and Shell Chemical Company (Rocky Mountain Arsenal), No. 83-C-2336, and United States v. Shell Oil Co., No. 83-C-2973; and

WHEREAS, pursuant to C.R.S. 24-20-106, the Governor has determined that additional counsel should be employed to assist the state in the litigation of these cases; and

D0049 84

EXECUTIVE ORDER  
- NATURAL RESOURCE DAMAGES LITIGATION EXPENSES  
Page Two

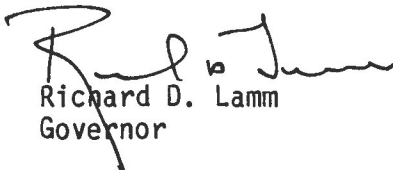
WHEREAS, C.R.S. 24-20-107 provides that the Governor may allow expenses to be incurred under C.R.S. 24-20-106 and in causing the laws to be executed, and further provides that, upon certification by the Governor, such expenses shall be audited and paid from any money in the treasury not otherwise appropriated; and

WHEREAS, the Governor has allowed expenses to be incurred in the litigation of the cases described above;

NOW, THEREFORE, I, Richard D. Lamm, Governor of the State of Colorado, pursuant to the authority vested in me under the statutes and constitution of the State of Colorado, DO HEREBY ORDER THAT:

1. The Office of State Planning and Budgeting and the Division of Accounts and Control in the Department of Administration shall prepare procedures for the auditing and payment of litigation expenses authorized pursuant to C.R.S. 24-20-107; and
2. Upon my certificate, the State Controller is directed to allow unappropriated state general funds in an amount not exceeding \$1,019,000 to be expended for attorneys fees and litigation costs incurred on behalf of the state in the litigation of the cases described above. Such amount is an estimate of the costs for the initial phase of the litigation; and
3. The State Controller shall allocate funds and provide spending authority to the Department of Health and to the Department of Natural Resources as necessary for the above stated expenses and shall ensure that expenditure of these funds is made according to all appropriate fiscal controls.

GIVEN under my hand and the  
Executive Seal of the State of  
Colorado this 31st day of  
October, A.D., 1984.

  
Richard D. Lamm  
Governor

RECEIVED  
OCT 31 1984  
COLORADO STATE LIBRARY  
State Publications Reporting