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EXECUTIVE ORDER

Declaring a Disaster Emergency Due to a Severe Tornado

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to relevant portions of the Colorado Disaster Emergency Act of 1992, C.R.S. § 24-32-2100 *et seq.*, I, Bill Ritter, Jr., Governor of the State of Colorado, hereby issue this Executive Order declaring a state of disaster emergency in Prowers County, Colorado due to a severe tornado.

1. Background and Need

Shortly after 8:00 p.m. on Wednesday, March 28, 2007, a massive tornado carved through the town of Holly, Colorado in Prowers County. The tornado killed one person and severely injured eight other people. The tornado affected 164 homes, more than one-third of the total number of homes in the town. Of those homes affected by the tornado, forty-eight were destroyed or severely damaged such that they are uninhabitable. In addition, there was significant damage to private business and publicly owned facilities and infrastructure. This destruction was concentrated in Holly, a town with a population of fewer than 1,000 people. The destructive impact of this tornado is compounded by the fact that it struck less than three months after a series of devastating blizzards that caused widespread damage in the region.

As Governor, I am responsible for meeting the dangers to the state and people presented by disasters. The Colorado Disaster Emergency Act of 1992 (hereinafter the "Act"), defines a disaster as "the occurrence or imminent threat of widespread or severe damages, injury or loss of life or property resulting from any natural cause or cause of human origin, including but not limited to...wind [or] storm." C.R.S. § 24-32-2103(1.5). As I witnessed firsthand when I visited Holly the day after the tornado struck, this tornado posed an imminent danger to human life and property and, therefore, constituted a disaster for the purposes of the Act. In response to this disaster, on April 2, 2007, I declared a disaster emergency.

2. Mission and Scope

- A. I hereby declare that this tornado constituted a disaster for purposes of C.R.S. §24-32-2103, and acknowledge my verbal order of April 2, 2007, declaring a disaster emergency in Prowers County.
- B. Pursuant to C.R.S. § 24-32-2106, I find that the funds in the Disaster Emergency Fund are insufficient, therefore, I order that \$1 million be transferred from the Subsequent Injury Fund to the Disaster Emergency Fund. I further order the encumbrance of up to \$1 million from the Disaster Emergency Fund to pay for the response and recovery effort related to this disaster. These funds shall be used to assist with providing temporary housing to those who have been displaced by the disaster and to fund grants for the provision of mental health services to those impacted by the disaster. The Director of the Colorado Division of Emergency Management is hereby authorized and directed to allocate the funding to the appropriate state agencies. These funds shall remain available for this purpose for six months from the date of this Executive Order.
- C. The Department of Local Affairs is hereby authorized and directed to use appropriated funds and grant money that may be available from other sources to assist in the repair and reconstruction of publicly owned facilities and infrastructure.
- D. The Director of the Colorado Division of Emergency Management is hereby authorized and directed to coordinate application for any low-interest loans or other federal funding related to the disaster emergency that may be available to assist residents with recovering from the disaster, including but not limited to Small Business Administration loans, Community Development Block Grants, and Community Service Block Grants.
- E. Pursuant to C.R.S. § 24-32-2104(7), I hereby authorize the Colorado Department of Transportation, at its discretion, to issue overweight and oversize permits without charging the statutory fee to carriers providing disaster assistance. This will include issuing permits to those carriers removing debris, delivering supplies and other materials associated with the disaster recovery and rebuilding effort.
- F. Pursuant to C.R.S. § 24-32-2104(7), I hereby authorize the Department of Human Services to expend Temporary Assistance to Needy Families (TANF) funds in excess of the funds allocated to Prowers County in order to assist those impacted by the disaster, and I authorize the Department of Human Services appropriated funds to help provide emergency housing to those displaced by the disaster.
- G. My verbal disaster emergency declaration on April 2, 2007, is hereby memorialized by this Executive Order and shall have the full force and effect of law as if it were contained within this Executive Order.

3. Duration

This Executive Order shall expire thirty days from its date of signature unless extended by Executive Order.

Given under my hand and
the Executive Seal of the
State of Colorado this 3rd
day of April, 2007.

Bill Ritter, Jr.
Governor