

D 014 07

EXECUTIVE ORDER

Extending Disaster Emergency Funding 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 extending the disaster emergency funding provided for in Executive Order D 009 07 due to a severe tornado in Prowers County, Colorado.

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 was compounded by the fact that it struck less than three months after a series of devastating blizzards that caused widespread damage in the region.

I visited Holly the day after the tornado struck, and witnessed the devastation firsthand. Because this tornado posed an imminent danger to human life and property and, therefore, constituted a disaster for the purposes of the Colorado Disaster Emergency Act of 1992 (hereinafter the "Act"), I declared a disaster emergency verbally on April 2, 2007. On April 3, 2007, this disaster declaration was memorialized in Executive Order D 009 07.

Since the tornado struck, the citizens of the town of Holly have begun the rebuilding effort in earnest. Because of the magnitude of the destruction, this rebuilding and recovery effort will take significant time. In Executive Order D 009 07, I ordered \$1 million transferred from the Subsequent Injury Fund to the Disaster Emergency Fund, and I order that those funds be encumbered for the purpose of paying for the response and recovery effort related to the disaster. I ordered that the funds be used to assist with providing temporary housing to those displaced by the disaster and to fund grants for the provision of mental health services to those impacted by the disaster. In Executive Order D 009 07, the funds were made available for these purposes for

six months. In light of the scale of the devastation and the anticipated recovery period, the funds encumbered pursuant to Executive Order D 009 07 should remain available for the purposes identified for a total of one year from the date of Executive Order D 009 07.

2. Mission and Scope

- A. I hereby reaffirm and extend my earlier declaration, as set forth in Executive Order D 009 07, that the March 28, 2007 tornado constituted a disaster for purposes of C.R.S. §24-32-2103.
- B. I hereby order that each of my directives stated in Executive Order D 009 07 continue, except to the extent amended or extended herein.
- C. I extend my earlier order for 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 continue to be used to assist with disaster recovery, including to provide 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 continues to be authorized and directed to allocate the funding to the appropriate state and local agencies and such other public and private organizations as may be appropriate and permitted by law. These funds shall remain available for these purposes for one year from the date of this Executive Order.
- D. The Department of Local Affairs continues to be 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.
- E. Pursuant to C.R.S. § 24-32-2104(7), I extend my earlier authorization for 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 extend my earlier authorization for 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.

3. Duration

This Executive Order shall expire thirty days from its date of signature unless extended further by Executive Order, except that the funds described in paragraph 2(B) above shall remain available for the described purposes for one year from the date of this Executive Order.

Given under my hand and
the Executive Seal of the
State of Colorado this 28th
day of April, 2007.

Bill Ritter, Jr.
Governor