

D 018 07

EXECUTIVE ORDER

**Extending Certain Declarations and Authorizing Use of Temporary Housing
by Workers Assisting With Recovery and Rebuilding
in Holly in Response to the March 2007 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 authorizing use of temporary housing by workers assisting with recovery and rebuilding in Holly, Colorado in response to the March 2007 tornado.

1. Background and Need

On March 28, 2007, a deadly tornado carved through the town of Holly, Colorado in Prowers County. 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 were 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.

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. In that Executive Order, 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 purposes of 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. On April 28, 2007, I issued Executive Order D 014 07, extending the disaster funding for one year in order to further assist the recovery and rebuilding in Holly.

Since the tornado struck, the citizens of the town of Holly have been rebuilding in earnest. This rebuilding effort has required the assistance of workers who do not reside in the Holly area.

Because of the tornado there is virtually no housing in the Holly to accommodate these workers within the town. Instead, these workers must find temporary housing in outlying communities, necessitating that they travel a substantial distance each day in order to work in Holly. This lack of local housing risks adversely impacting the recovery and rebuilding effort by making it more difficult and less cost effective to attract and hire workers.

Shortly after the tornado struck, the Federal Emergency Management Agency gave the State of Colorado approximately fifty temporary housing units. Many of these units have been provided to residents of Holly displaced by the tornado. However, there are excess temporary units that are not being used by Holly residents and that could be made available to workers assisting with the recovery and rebuilding effort. In order to make these excess units available to these workers on an expedited basis, I am authorizing the Department of Local Affairs and the Department of Personnel and Administration, at their discretion, to suspend certain state purchasing and contracting rules.

2. Mission and Scope

- A. I hereby reaffirm and extend my earlier declarations, as set forth in Executive Orders D 009 07 and D 014 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 Orders D 009 07 and D 014 07 continue, except to the extent those directives in Executive Order D 009 07 were amended or extended by Executive Order D 014 07.
- C. I reaffirm my earlier Executive Orders encumbering 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 until April 28, 2008, one year from the date of Executive Order D 014 07.
- D. I authorize the Department of Local Affairs to make excess temporary housing units owned by the State of Colorado available to workers who have relocated to the Holly area for the purpose of assisting with the recovery and rebuilding effort.
- E. Pursuant to C.R.S. § 24-32-2104(7), I authorize the Department of Local Affairs and the Department of Personnel and Administration, at their discretion, to suspend in whole or in-part state purchasing and contracting laws and regulations in order to facilitate making temporary housing available on an expedited basis to those

displaced by the tornado and to those workers assisting with the recovery and rebuilding effort.

- F. 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 includes issuing permits to those carriers removing debris, delivering supplies and other materials associated with the disaster recovery and rebuilding effort.
- G. 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 sixty days from its date of signature unless extended further by Executive Order, except that the funds described in paragraph 2(C) above shall remain available for the described purposes until April 28, 2008, one year from the date of Executive Order D 014 07, and the provision of temporary housing pursuant to paragraphs 2(D) and (E) above shall remain in effect for one year from the date of this Executive Order, unless modified or extended by subsequent Executive Order.

Given under my hand and
the Executive Seal of the
State of Colorado this 29th
day of June, 2007.

Bill Ritter, Jr.
Governor

D 017 07

EXECUTIVE ORDER

For The Transfer of Funds from the Colorado Department of Human Services to the Governor's Energy Office to Administer a Low-Cost Weatherization Program for Low-Income Households

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I, Bill Ritter, Jr., Governor of the State of Colorado, hereby issue this Executive Order transferring federal LEAP funding to the Governor's Energy Office weatherization assistance program.

1. Background and Purpose

The U.S. Department of Health and Human Services is the recipient of funds under the Low-Income Home Energy Assistance Act of 1981 (P.L. 97-35) hereafter referred to as the Low-Income Energy Assistance Program (LEAP). The Colorado Department of Human Services is the recipient of funds for the LEAP Program. The Low-Income Home Energy Assistance Act of 1981 allows up to 15 percent of the funds to be used for low-cost residential weatherization or other energy related home repair for low-income households. Low cost residential weatherization services for Colorado's low-income population will provide long-range benefits for Colorado. The Governor's Energy Office is best able to use the weatherization funds to serve Colorado's low-income population.

2. Designation

I hereby designate the Governor's Energy Office as the responsible agency to administer a low-cost weatherization program. The low-cost weatherization program shall be administered in accordance with all federal laws and regulations.

3. Directive

The Colorado Department of Human Services shall transfer \$4,702,360 to the Office of Energy Management and Conservation from the LEAP Block Grant for the purpose of conducting a low-cost weatherization program.

4. Past Orders Superseded and Replaced

This Executive Order shall supersede and replace all previous Executive Orders designating the responsible agency to administer the weatherization portion of Colorado's Low-Income Energy Assistance program.

5. Duration

This Executive Order shall remain in effect until further modification or rescission by the Governor.

GIVEN under my hand and the
Executive Seal of the State of
Colorado, this 6th day of June,
2007

Bill Ritter, Jr.
Governor