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EXECUTIVE ORDER

**Activation of the National Guard in Support of Wildfire Suppression Efforts
in the State of Montana**

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to Article IV, Section 5 of the Colorado Constitution and Colorado Revised Statutes §§ 28-3-104, 24-32-2100, *et seq.*, and 24-60-2902, I, Bill Ritter, Jr., Governor of the State of Colorado, hereby issue this Executive Order calling certain elements of the Colorado National Guard to state active duty and implementing the Emergency Management Assistance Compact to assist the State of Montana in efforts to suppress that State's wildfires.

1. Background and Need

Starting in July 2007, numerous wildfires broke out in the State of Montana, and extremely hazardous wildfire conditions continue to persist throughout that State. To date, an aggressive initial attack on all wildfires has been undertaken in an effort to significantly reduce the damage to both public and private property. Pursuant to Montana Code Annotated §§ 10-3-302, 10-3-311, and 10-3-312 and the Montana Constitution, the Governor of Montana has declared that an emergency exists and has mobilized that State's resources, including the Montana National Guard, to protect life, health, and property.

As a party to the Emergency Management Assistance Compact, C.R.S. § 24-60-2902, the State of Colorado is authorized to provide assistance to states during a disaster emergency. The State of Montana qualifies for and has requested such assistance in fighting ongoing wildfires. As Governor of a western state, I understand the need to bring to bear all available resources in fighting these natural hazards. It is also important to recognize that these incidents may extend for a long period of time, possibly resulting in the fatigue of those first responders and giving rise to the need for rotation of equipment at the scene. Therefore, to assist in this wildfire suppression effort, I am issuing this Executive Order, calling certain elements of the Colorado National Guard to active duty and directing the Colorado National Guard to assist the State of Montana.

This support includes mobilizing two heavy equipment multi-wheeled tactical trucks that can support aviation refueling.

2. Mission and Scope

- A. Pursuant to C.R.S. § 28-3-104, as commander-in-chief of military forces, I hereby employ and call to active duty certain elements of the Colorado National Guard and implement the Emergency Management Assistance Compact. The State of Colorado shall provide support personnel and resources to assist in emergency response efforts related to the wildfires located within the State of Montana. This assistance shall be provided to states that qualify for such assistance under the Emergency Management Assistance Compact, C.R.S. § 24-60-2902.
- B. I hereby direct the Interim Director of the Colorado Division of Emergency Management and the Adjutant General of the Colorado Department of Military and Veteran Affairs to immediately coordinate and execute all directives issued by this Executive Order.
- C. All verbal orders that I issued in regards to this Order, including the one issued on August 3, 2007, are hereby memorialized by this Executive Order and shall have the full force and effect of law as if they were contained within this Executive Order.
- D. Pursuant to C.R.S. § 24-32-2106, I order the encumbrance of \$40,000 from the State Disaster Emergency Fund to finance these activities. These funds shall remain available for this purpose for six months from the date of this Executive Order. The Colorado Division of Emergency Management is hereby directed to request reimbursement from the State of Montana or any other source permitted by law for all allowable expenses under the Emergency Management Assistance Compact.

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 6th
day of August, 2007.

Bill Ritter, Jr.
Governor