

D 008 08

EXECUTIVE ORDER

Amending Executive Order D 030 07 Authorizing the Hiring of Outside Counsel

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, and in particular Article IV, Section 2 of the Colorado Constitution and Section 24-31-101(1)(e) of the Colorado Revised Statutes, I, Bill Ritter, Jr., Governor of the State of Colorado, hereby issue this Executive Order amending Executive Order D 030 07, authorizing certain agencies to hire outside counsel in connection with the litigation challenging the constitutionality of Senate Bill 07-199.

Section 1 of Executive Order D 030 07 is amended by the addition of the following paragraph:

In April 2008, the Treasurer requested legal services from the Attorney General in connection with *Mesa County Board of County Commissioners, et al. v. Colorado Department of Education*. The Attorney General advised the Treasurer that he is unable to provide the requested services because of the conflict more fully described in Executive Order D 030 07. Therefore, this Executive Order also authorizes the Department of Treasury to hire outside counsel of its own choosing to defend its interests in the above-referenced matter.

Section 2 of Executive Order D 030 07 is amended to read, as follows:

Based on the facts recited in Executive Order D 030 07 and above, I find that the requirements of C.R.S. § 24-31-101(1)(e) are met. I authorize the Department of Education, the Office of the Governor, and the Department of Treasury to each employ counsel of its own choosing to provide legal services related to defending the constitutionality of Senate Bill 07-199 and the litigation captioned *Mesa County Board of County Commissioners, et al. v. Colorado Department of Education*. All expenses incurred in connection with such representation shall be charged to the Department of Law in accordance with C.R.S. § 24-31-101(1)(e).

In all other respects, Executive Order D 030 07 remains in full force and effect as originally promulgated.

GIVEN under my hand and the
Executive Seal of the State of
Colorado this seventh day of
April, 2008.

Bill Ritter, Jr.
Governor