STATE OF COLORADO

OFFICE OF THE GOVERNOR

136 State Capitol Building
Denver, Colorado 80203
Phone (303) 866 - 2471
Fax (303) 866 - 2003

John W. Hickenlooper
Governor

D 2012-022

EXECUTIVE ORDER

Amending the Declaration of Disaster Emergency Due to High Park Fire in Larimer County and Extending the Availability of Funds

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, relevant portions of the Colorado Disaster Emergency Act of 1992, C.R.S. § 24-32-2100, *et seq.*, I, Governor John W. Hickenlooper, Governor of the State of Colorado, hereby issue this Executive Order amending Executive Order 2012-014 declaring a disaster emergency due to the wildfire in Larimer County, Colorado.

I. Background and Purpose

The Governor is responsible for meeting the dangers to the state and people presented by disasters. The Colorado Disaster Emergency Act of 1992, 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... fire." C.R.S. § 24-32-2103(1.5). The High Park Fire's proximity to numerous homes, property, and critical infrastructure poses an imminent danger to life and property and, therefore, constitutes a disaster for the purposes of the Act. On June 9, 2012, I verbally activated the National Guard to assist in fighting the fire and to enforce the laws of the State of Colorado and have authorized the use of National Guard assets. On June 21, 2012 I issued a new Executive Order, D 2012-019, amending Executive Order D 2012-014 and increasing the available funds to fight the High Park Fire. This Executive Order further amends Executive Order D 2012-014 declaring a disaster emergency due to this fire.

II. Declaration and Directives

In addition to the declarations and directives contained in Executive Order D 2012-014, I declare and direct that paragraph II(C) of Executive Order D 2012-014 is hereby amended to read as follows and paragraph II(H) is hereby added as follows:

C. Pursuant to C.R.S. § 24-32-2106 (4), the funds in the Disaster Emergency Fund are hereby found insufficient to pay for fire suppression efforts related to the High Park Fire. Therefore, it is ordered that $12,000,000 be transferred into the Disaster Emergency Fund from the Major Medical Insurance Fund, created in C.R.S. § 8-46-202(1) (a); $6,000,000 be transferred into the Disaster Emergency Fund from the Perpetual Base Account of the Severance Tax Fund, created in C.R.S. § 39-29-109(2)(a)(II); $2,000,000 be transferred into the Disaster Emergency Fund from General Fund appropriations in Fiscal Year 2011-12 to the Department of Health Care Policy and Financing, Indigent Care Program, Children's Basic Health Plan Medical and Dental Plan line item; $556,000 be transferred into the Disaster Emergency Fund from the General Fund appropriations in Fiscal Year 2011-12 to the Department of Corrections, Institutions Maintenance Subprogram Operating Expenses line item; $395,000 be transferred into the Disaster Emergency Fund from the General Fund appropriations in Fiscal Year 2011-12 to the Department of Corrections, Institutions Superintendents Subprogram Operating Expenses line item; and $49,000 be transferred into the Disaster Emergency Fund from General Fund appropriations in Fiscal Year 2011-12 to the Department of Human Services, Division of Youth Corrections, Community Programs Parole Program Services line item. It is further ordered that $25,000,000 from the Disaster Emergency Fund is encumbered to pay for the fire suppression, response, and recovery effort related to the High Park Fire since its inception. The Colorado State Forester, working in conjunction with the Director of the Colorado Division of Emergency Management, is hereby authorized and directed to allocate the funding to the appropriate government agencies. These funds shall remain available for this purpose for one year from the date of this Executive Order, and any unexpended funds shall remain in the Disaster Emergency Fund.

H. Pursuant to C.R.S. § 24-32-2106(4), $2 million of the encumbrance ordered in Executive Order D 2012-012 for response to the Hewlett Fire in Larimer County, Colorado, is hereby unencumbered and reverts to the Disaster Emergency Fund.

III. Duration

Executive Order D 2012-014 remains in full force and effect as originally promulgated. This Executive Order shall remain in effect until amended or rescinded by executive order.

GIVEN under my hand and the Executive Seal of the State of Colorado this twenty-seventh day of June, 2012.

John W. Hickenlooper
Governor