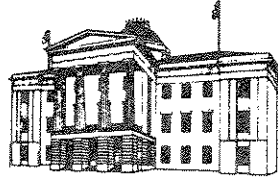


State of North Carolina



MICHAEL F. EASLEY
GOVERNOR

EXECUTIVE ORDER NO. 75 REESTABLISHING AND MODIFYING PROGRAMS ESTABLISHED UNDER THE HURRICANE FLOYD RECOVERY ACT OF 1999 (S.L. 1999-463 EXTRA SESSION) AND AMENDING EXECUTIVE ORDER #8

WHEREAS, Article III, Section 5(10) of the Constitution of North Carolina authorizes and empowers the Governor to make such changes in the allocation of offices and agencies and in the allocation of those functions, powers, and duties as he considers necessary for efficient administration; and

WHEREAS, the North Carolina General Assembly enacted the Hurricane Recovery Act of 2005, S.L. No. 2005-1, to provide necessary and appropriate relief and assistance from the effects of the hurricanes and tropical storms that hit the State of North Carolina in 2004; and

WHEREAS, Section 5.1.(a) of the Hurricane Recovery Act of 2005, S.L. No. 2005-1, states, "The Governor shall reestablish and may modify, as necessary, all of the programs implemented as part of the Hurricane Floyd Recovery Act of 1999 under S.L. 1999-463 Extra Session and the Report of the House Appropriations Committee on Hurricane Floyd Recovery dated December 15, 1999, as amended by S.L. 1999-463 Extra Session. The Governor shall also establish new programs and expand or modify, as necessary, existing programs to provide necessary and appropriate relief and assistance from the effects of the hurricanes that hit the State in 2004;" and

WHEREAS, Section 4 of the Hurricane Floyd Recovery Act of 1999 (S.L. 1999-463 Extra Session) states "... every agency, as defined in G.S. 150B-2, may adopt temporary rules necessary to implement the provisions of this act;" and

WHEREAS, temporary rules for the Hurricane Floyd Recovery Act of 1999 (S.L. 1999-463 Extra Session) were adopted at 4 NCAC 19L.1901, which states "The North Carolina Department of Commerce will follow the administrative rules for the North Carolina Community Development Block Grant Program, 4 NCAC 19L. in administering the Hurricane Floyd Recovery Assistance appropriated by the General Assembly in Session Law 1999-463 Extra Session House Bill 2;" and

WHEREAS, 4 NCAC 19L.1901, states that the administrative rules for the 1999 Hurricane Floyd CHAF programs will be in effect until January 1, 2010;” and

WHEREAS, Executive Order No. 8 transferred the North Carolina Redevelopment Center to the North Carolina Department of Crime Control and Public Safety and transferred the Crisis Housing Assistance functions previously carried out by the Housing and Business Redevelopment Office and the Division of Community Assistance of the Department of Commerce to the North Carolina Redevelopment Center, except for the Affordable Rental Housing, Predevelopment, and Land Acquisition programs. These programs remain in the Department of Commerce; and

WHEREAS, Section 4 of Executive Order No. 8 states, “All rules, regulations, and policies promulgated by the Office of the Governor, Housing and Business Redevelopment Office, Division of Community Assistance, the Hurricane Floyd Redevelopment Center, and the Department of Commerce regarding Crisis Housing Assistance, shall continue to apply to the agencies transferred to the Department of Crime Control and Public Safety and shall remain in effect until such rules, regulations, and policies are amended or rescinded by the Secretary of the Department of Crime Control and Public Safety;” and

WHEREAS, the North Carolina Redevelopment Center of the North Carolina Department of Crime Control and Public Safety previously administered the following 1999 Hurricane Floyd CHAF programs: (1) State Acquisition and Relocation Funds (SARF) for Homeowners Assistance; (2) SARF for Renters Assistance; (3) Low-Income Home Repair & Rehabilitation; (4) Low-Income Home Replacement; (5) Infrastructure to Local Governments; and (6) Aid to Local Government; and

WHEREAS, the 2005 CHAF programs to be administered by the North Carolina Redevelopment Center will not differ substantially from their 1999 counterparts, except for changes in policy that will be addressed in the program guidelines and other program documentation.

NOW, THEREFORE it is hereby ordered that,

Section 1. Pursuant to Section 5.1.(a) of the Hurricane Recovery Act of 2005, the 1999 Hurricane Floyd Crisis Housing Assistance Funds (CHAF) program is hereby reestablished and modified to provide necessary and appropriate relief and assistance from the effects of the hurricanes and tropical storms that hit the State of North Carolina in 2004, by applying the rules of the 1999 Hurricane Floyd CHAF program at 4 NCAC 19L., to the 2005 CHAF program authorized by the Hurricane Recovery Act of 2005, S.L. No. 2005-1. The rules of the 1999 Hurricane Floyd CHAF program at 4 NCAC 19L. shall apply to the 2005 CHAF program authorized by the Hurricane Recovery Act of 2005, S.L. No. 2005-1.

Section 2. The North Carolina Redevelopment Center of the North Carolina Department of Crime Control and Public Safety will administer the following 2005 Hurricane Recovery Act CHAF programs: (1) State Acquisition and Relocation Funds (SARF) for Homeowners Assistance; (2) SARF for Renters Assistance; (3) Low-Income Home Repair & Rehabilitation;

(4) Low-Income Home Replacement; (5) Aid to Local Government; and (6) Grants to Successful SBA Home Loan Applicants.

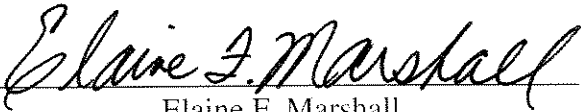
Section 3. Subject to the amendments herein, all provisions of Executive Order No. 8 shall remain in full force and effect.

Section 4. This order shall become effective immediately.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh this 10th day of June 2005.


Michael F. Easley

ATTEST:


Elaine F. Marshall
Secretary of State

