



STATE OF TENNESSEE
EXECUTIVE ORDER
BY THE GOVERNOR

No. 11

RECEIVED
2012 APR 13 PM 12:50
OFFICE OF
SECRETARY OF STATE

AN ORDER TRANSFERRING THE WEATHERIZATION ASSISTANCE PROGRAM FROM THE DEPARTMENT OF HUMAN SERVICES TO THE TENNESSEE HOUSING DEVELOPMENT AGENCY

WHEREAS, the needs of low-income persons seeking weatherization assistance services in Tennessee are an important and ongoing concern of federal, state and local governments; and

WHEREAS, the effective coordination and provision of services to low-income persons in need of weatherization assistance are necessary to ensure that resources for those in need of such services are utilized to the maximum extent feasible; and

WHEREAS, the Commissioner of the Department of Human Services ("DHS"), which currently administers the Weatherization Assistance Program pursuant to Tennessee Code Annotated § 71-5-401, and the Board of Directors of the Tennessee Housing Development Agency ("THDA") have determined that transferring the Weatherization Assistance Program to THDA will facilitate the operation of the program by enabling improved coordination of planning and services for low-income persons in need of weatherization assistance services with other housing needs for which THDA is responsible.

NOW, THEREFORE, I, Bill Haslam, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and law, including, but not limited to, Tennessee Code Annotated § 4-4-117, do hereby order the following:

1. The Weatherization Assistance Program, now administered by the Department of Human Services, is hereby transferred to the Tennessee Housing Development Agency (THDA), effective July 1, 2012.
2. The Commissioner of Human Services, with the assistance of the Commissioner of Finance and Administration, shall immediately begin the process of implementing this Executive Order No. 11 with such process to be completed by July 1, 2012. Specifically, the Department of Human Services shall provide assistance to THDA for completion of the federal grant application for the

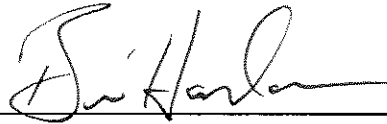
Weatherization Assistance Program, and shall assist THDA in securing access for THDA staff to the online grants application system and provide any necessary source codes from its current program management system to enable THDA to manage the Weatherization Assistance Program.

3. The Commissioner of Finance and Administration shall on or before July 1, 2012, transfer to the THDA from the Department of Human Services all appropriations and other revenues budgeted for the Weatherization Assistance Program. As needed, the Department of Finance and Administration shall revise the budgets of both agencies to reflect the effect of this Executive Order No.11.
4. All contractual arrangements entered into on or before July 1, 2012, by the Department of Human Services with any entity, corporation, agency, enterprise or person with respect to the Weatherization Assistance Program transferred herein shall continue in full force and effect as to all essential provisions in accordance with the terms and conditions of the contracts in existence on July 1, 2012, to the same extent as if such contracts had originally been entered into by and between such entity, corporation, agency, enterprise or person and the THDA, unless and until such contracts are amended or modified by the parties thereto.
5. All regulations and policies applicable to the weatherization assistance program under the Department of Human Services on the effective date of this Executive Order shall be administered by THDA and remain in effect until modified by THDA.
6. The Department of Human Services and the THDA shall have all necessary authority jointly to make any program decisions or modifications or to make fiscal arrangements, in consultation with the Department of Finance and Administration, for each agency necessary to complete an effective transition of duties and to ensure that the maximum amount of available federal funds are utilized for the Weatherization Assistance Program during the transition period and are available to the THDA for the operation of the program subsequent to the transfer of duties; provided, however, that in order to ensure completion of the process of entering any necessary contracts prior to its assumption of duties, the THDA shall have authority, upon the date of this Executive Order, to issue any necessary requests for proposals for Weatherization Assistance Program services, to enter contracts to become effective July 1, 2012, to make any required applications to the United State Department of Energy, and to undertake all other actions necessary to effectuate the implementation of those contracts.
7. The Department of Human Services shall notify all affected state and local agencies, including but not limited to the United States Department of Energy, Human Resource Agencies, Community Action Agencies and Development

Districts, and all affected Weatherization Assistance subgrantees of the transfer of the Weatherization Assistance Program and shall work with the THDA and all such agencies and subgrantees to provide guidance and instruction to them regarding the transfer and to ensure a coordinated transition of the program.

8. To the extent that their terms are inconsistent with the terms of this Executive Order No.11, all previous executive orders are hereby repealed.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 11th day of April, 2012.



GOVERNOR

ATTEST:



SECRETARY OF STATE

