

From: Patel, Swati <SwatiPatel@gov.sc.gov>  
To: Pisarik, HollyHollyPisarik@gov.sc.gov  
Date: 10/13/2015 2:37:14 PM  
Subject: Re: emergency expiration date issues  
Attachments: image004.png

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We need to fully research this. We are possibly going to need this soon.

Sent from my iPhone

On Oct 13, 2015, at 2:21 PM, Pisarik, Holly <HollyPisarik@gov.sc.gov> wrote:

Is this something we are doing?

Sent from my iPhone

Begin forwarded message:

From: "Schimsa, Rebecca" <RebeccaSchimsa@gov.sc.gov>  
To: "Pisarik, Holly" <HollyPisarik@gov.sc.gov>  
Cc: "Patel, Swati" <SwatiPatel@gov.sc.gov>, "Baker, Josh" <JoshBaker@gov.sc.gov>  
Subject: Re: emergency expiration date issues

So we could limit the declaration of emergency by county for the specific purpose of ongoing recovery efforts? Using the Major Disaster Declaration as a guide? I expect we will add a few counties, so it may help to be general rather than specific.

I think we should prepare this order by the 15th.

Sent from my iPhone

On Oct 12, 2015, at 3:59 PM, Pisarik, Holly <HollyPisarik@gov.sc.gov> wrote:

SECTION 25-1-440. Additional powers and duties of Governor during declared emergency.

(2) declare a state of emergency for all or part of the State if he finds a disaster or a public health emergency, as defined in Section 44-4-130, has occurred, or that the threat thereof is imminent and extraordinary measures are considered necessary to cope with the existing or anticipated situation. A declared state of emergency shall not continue for a period of more than fifteen days without the consent of the General Assembly;

In Executive Order 2015-21 (issued October 1), she declared a state of emergency for the State of South Carolina, and it does not look like she can renew or extend that order without

consent of the General Assembly. But, I do think she can issue a new Executive Order declaring a state of emergency in certain counties of the state. See 25-1-440 (declare a state of emergency for . . . part of the State). I looked back at Hugo. This must have been the purpose of the order below. It was issued 15 days after the original Executive Order. The 15 days is up on Executive Order 15-21 on Oct. 16.

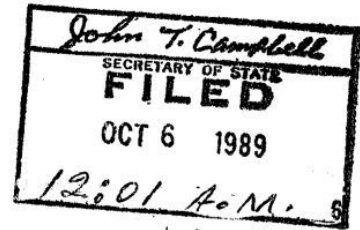
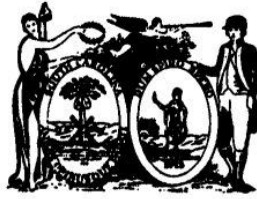
<image002.png>

<image004.png>

From: Schimsa, Rebecca  
Sent: Monday, October 12, 2015 3:06 PM  
To: Pisarik, Holly  
Cc: Patel, Swati; Baker, Josh  
Subject: emergency expiration date issues

Holly – Can you research when the Governor’s emergency declaration expires? There is a statute for a 15 day limit. What is her authority to extend or review the emergency?

# Executive Department



## State of South Carolina

EXECUTIVE ORDER NO. 89-47

**WHEREAS,** TWENTY-FOUR (24) COUNTIES IN SOUTH CAROLINA HAVE BEEN DECLARED DISASTER AREAS BY THE FEDERAL GOVERNMENT AS A RESULT OF THE DESTRUCTION CAUSED BY HURRICANE HUGO; AND

**WHEREAS,** THE DESTRUCTION CAUSED BY THE HURRICANE HAS RESULTED IN THE LOSS OF POWER, EXTENSIVE DAMAGE TO SEWAGE AND WATER SYSTEMS AND OTHER DANGERS TO PUBLIC HEALTH AND SAFETY; AND

**WHEREAS,** EXTENSIVE FLOODING CAUSED BY HEAVY RAINS IMMEDIATELY FOLLOWING THE DESTRUCTION OF THE HURRICANE HAS RESULTED IN MORE DAMAGE TO OUR INLAND COUNTIES; AND

**WHEREAS,** ON OR ABOUT OCTOBER 16, 1989, THE HIGHEST TIDES IN TEN YEARS ARE EXPECTED TO HIT THE COASTAL AREAS OF SOUTH CAROLINA ALREADY DEVASTATED BY THE HURRICANE, AND THREATEN POTENTIAL DAMAGE OF AN EXTENSIVE NATURE TO HABITABLE STRUCTURES THAT NO LONGER HAVE THE PROTECTION OF SAND DUNES; AND

**WHEREAS,** POWER HAS NOT BEEN RESTORED TO MANY AREAS OF THE STATE THUS LEAVING THESE AREAS SUSCEPTIBLE TO LOOTING AND OTHER PUBLIC SAFETY CONCERNS,