

**Executive Order 2002-40**  
(December 10, 2002)

**WHEREAS**, a state of emergency was declared for twenty-two counties as of December 4, 2002 (Executive Order No. 2002-38) and the South Carolina Emergency Operations Plan was placed in effect due to the severe winter storm; and

**WHEREAS**, because of the state of emergency declared as of December 4, 2002, Executive Order 2002-39 was issued on December 6, 2002, to suspend the regulations limiting the hours operators of commercial vehicles may drive to respond to food, fuel, and power supply issues resulting from the storm; and

**WHEREAS**, the winter storm has now passed and power service has been restored to most homes and businesses in the affected areas so that there is no longer an immediate danger to public safety and welfare or to the property of the citizens of this State; and,

**WHEREAS**, although pursuant to Executive Order No. 2002-38, State employees absent from work between 1:30 p.m., Wednesday, December 4, 2002, until 10:30 a.m., Thursday, December 5, 2002, because of the hazardous weather emergency in the affected counties were granted leave with pay because of the closure of those offices, various state offices in those counties were without power and unable to function beyond that time period.

**NOW, THEREFORE**, by virtue of the power and authority vested in me as Governor, pursuant to the Constitution and Laws of the State of South Carolina, I hereby declare that Executive Order 2002-38, to the extent that it declared a state of emergency, is cancelled, rescinded, and from this date declared null and void.

I further direct, by virtue of the power and authority vested in me as Governor, pursuant to the Constitution and Laws of the State of South Carolina, that Executive Order 2002-39 is cancelled, rescinded, and from this date declared null and void.

Furthermore, pursuant to S.C. Code § 8-11-57, as amended by Act 356 of 2002, Part IX, Section D, and all State employees in the affected counties absent from work due to power outages in their State offices which prevented them from performing their jobs from 1:30 p.m., Wednesday, December 4, 2002, until 5:00 p.m., Tuesday, December 10, 2002, are hereby granted leave with pay for the specific time period for which their offices were without power.