

From: Pisarik, Holly <HollyPisarik@gov.sc.gov>  
To: Schimsa, RebeccaRebeccaSchimsa@gov.sc.gov  
Date: 10/29/2015 6:18:04 AM  
Subject: Re: Memo on Activating NG without State of Emergency

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Look at 25-1-1820(g) and 25-1-1840(d). That authority is not explicitly tied to a declaration. Do all of the purposes for which they need to remain activated constitute a 'local emergency' - road repair, unsafe drinking water, etc? I haven't analyzed each one, but it appears that many of the EOs you cited that don't reference legal authority fall within one of the provisions of 1820 and 1840. Thoughts?

Sent from my iPhone

On Oct 28, 2015, at 6:37 PM, "Schimsa, Rebecca" <RebeccaSchimsa@gov.sc.gov> wrote:

Holly – Please see attached. Note the highlighted portion where I am awaiting confirmation from FEMA/EMD. (I did confirm that a State of Emergency is not necessary for National Guard reimbursement.)

I plan to draft an order first thing in the morning on a fresh brain, but here are my thoughts:

- Multiple “Whereas” Clauses: Historic flood, ongoing recovery operations, requests and needs from counties for State to assist with emergency repairs on county roads, and desire to have efficient and expeditious recovery operations for safety and welfare of motoring public.
- “Now, Therefore” Clause: Direct the Adjutant General to place National Guardsmen on State Active Duty status and to utilize National Guard equipment for the purpose of assisting county governments with emergency repairs to county roads up to November 30, 2015, to include but not be limited to Clarendon, Georgetown, Lexington, and Williamsburg Counties and other counties identified prior to November 5, 2015.

Please let me know your thoughts. Thank you.

<Memo on Activating NG without State of Emergency.docx>