

## GOVERNOR GREG ABBOTT

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June 13, 2019

The Honorable Joe Esparza Secretary of State State Capitol Room 1E.8 Austin, Texas 78701

Dear Mr. Deputy Secretary:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-06 relating to necessary assistance from qualified plumbers with disaster recovery and preparedness.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

Gregory S. Davidson

Executive Clerk to the Governor

GSD/gsd

Attachment

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## Executive Order

## BY THE GOVERNOR OF THE STATE OF TEXAS

Executive Department Austin, Texas June 13, 2019

## EXECUTIVE ORDER GA 06

Relating to necessary assistance from qualified plumbers with disaster recovery and preparedness.

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on August 23, 2017, as subsequently amended on August 26, August 27, August 28, and September 14, 2017, certifying that Hurricane Harvey posed a threat of imminent disaster for certain counties in the State of Texas; and

WHEREAS, on September 20, 2017, and in each subsequent month effective through today, I issued proclamations renewing the disaster declaration; and

WHEREAS, recovery from the catastrophic damage caused by Hurricane Harvey continues for millions of Texans living in no fewer than sixty counties across the state; and

WHEREAS, the magnitude of what still must be rebuilt is reflected in the more than \$10 billion of federal funds that are newly or nearly available to Texas for areas impacted by Hurricane Harvey, including through the disaster aid bill signed by President Donald J. Trump on June 6, 2019; and

WHEREAS, a qualified workforce of licensed plumbers throughout the state, including from areas not directly affected by Hurricane Harvey, will be essential as those funds are being invested in crucial infrastructure, medical facilities, living facilities, and other construction projects; and

WHEREAS, Texas must also be ready for future disasters, by building sound infrastructure that can withstand major weather or other events and by ensuring that qualified workers stand ready to rebuild, and June 1, 2019, marked the beginning of the 2019 hurricane season; and

WHEREAS, the Texas State Board of Plumbing Examiners, whose mission is "to protect Texas citizens against the health and safety hazards that can result from improperly installed plumbing, gas, and medical gas systems," will continue to play an essential role in all these efforts by ensuring that the plumbers who rebuild Texas and prepare for future disasters do so in a manner that will safeguard public health, safety, and property; and

WHEREAS, Section 1301.003 of the Texas Occupations Code provides that the Board is to be abolished on September 1, 2019, along with expiration of the Plumbing License Law, Texas Occupations Code, Chapter 1301, because they were not continued in existence by the 86th Legislature pursuant to the Texas Sunset Act, Texas Government Code, Chapter 325; and

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WHEREAS, abolition of the Board would threaten recovery efforts, diminish hurricane preparedness, and heighten the dangers I am responsible for meeting under the Texas Disaster Act of 1975, Texas Government Code, Chapter 418; and

WHEREAS, in Section 418.016(a) of the Texas Government Code, the legislature has empowered the governor to "suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business . . . if strict compliance with the provisions . . . would in any way prevent, hinder, or delay necessary action in coping with a disaster"; and

WHEREAS, the 86th Legislature further expanded the governor's authority in Senate Bill 285 by enacting Section 418.128(b) of the Texas Government Code, effective September 1, 2019, pursuant to which, "[n]otwithstanding any other law, the governor may, by executive order, take any action necessary to ensure each state agency . . . is able to respond to a hurricane"; and

WHEREAS, to fulfill the demands for rebuilding after Hurricane Harvey and keeping Texas prepared and able to recover from future disasters, it is necessary to continue the Board to perform its indispensable role in protecting Texans;

NOW, THEREFORE, by virtue of the power and authority vested in me by the Texas Constitution and the Texas Disaster Act of 1975, I do hereby suspend Section 1301.003 of the Texas Occupations Code to prevent the imminent abolition of the Texas State Board of Plumbing Examiners and expiration of the Plumbing License Law on September 1, 2019, and to delay that abolition and expiration until disaster needs subside or the 87th legislature addresses the matter. To facilitate the legislature's consideration of the issue, this suspension shall have the force and effect of law until May 31, 2021.

This executive order supersedes all previous orders on this matter that are in conflict or inconsistent with its terms, and this order shall remain in effect and in full force until modified, amended, rescinded, or superseded by me or by a succeeding governor.

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Given under my hand this the 13th day of June, 2019.

GREG ABBOTT

ATTESTED BY:

JOE ESPARZA
Deputy Secretary of State

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