



State Representative Gary VanDeaver



HD 1

87th Legislature
Bowie | Franklin | Lamar | Red River

87th Legislature Report - House District 1 Bowie, Franklin, Lamar & Red River counties February 2021

Around the District. Vaccination hub. I am pleased to announce that earlier this month, Christus Saint Michael's Health System in Texarkana was named a regional COVID-19 vaccination hub to help get "shots in arms" for groups 1A (front-line health workers) and 1B (over 65 and/or with significant underlying health issues). Many people in Bowie County worked hard and coordinated with my office to convince state officials that our area was significantly underserved in getting these vaccines administered as soon as possible. You must have an appointment to get a vaccine; call 877-335-5746 or schedule online at <https://vaccinate.christushealth.org/>.

Power generation in HD 1. The state's Electric Reliability Council of Texas (ERCOT) has been greatly criticized across the state for the massive power failures that not only kept people in their frigid, dark homes but also damaged water systems preventing clean water from flowing to homes and businesses.



The legislature began hearings this week into the actions or inactions of ERCOT to figure

out what went wrong and how to keep such a

situation from happening again. In the House of Representatives, the Committees on State Affairs and Energy Resources are charged with investigating this situation; and, the Senate's Business & Industry Committee is leading that body's investigation. You can watch these hearings at Texas Legislature Online at <https://capitol.texas.gov/>.

During the height of the winter storm, Governor Greg Abbott announced that reforming ERCOT is an emergency item for the 87th legislature, which gives the legislature the ability to take necessary action early in the session to correct systemic problems with the state's deregulated energy market.

While ERCOT has gotten a lot of attention due to massive power outages, please note that three of the four counties in HD 1 are **not** in the ERCOT-deregulated energy market. Bowie, Franklin and Red River counties, for the most part, are in a regulated energy market subject to oversight by the Public Utility Commission (PUC) and possibly the Federal Energy Regulatory Commission (FERC). Many HD 1 residents also get their power from their local, member-owned electric coops including Lamar County Electric Coop and Bowie-Cass Electric Coop.

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Some Lamar County residents are in the deregulated energy market overseen by ERCOT and have the "power to choose" their energy providers based upon price in an open market. The deregulated market was created over 20 years ago based on the idea that market forces and competition would create a more efficient energy market to provide Texans with cheaper energy than in regulated markets.

Texas has had energy crises before; as recently as 2011 and 2018 where millions were without power and experienced rolling blackouts. Post-event analyses after these recommended that power generators "winterize" or "harden" their physical plants and distribution capabilities. The legislature failed to mandate these actions to keep from disrupting the free-market structure in ERCOT that could have resulted in an increase in the price of power. One of the major building blocks of the deregulated energy market was that competition would keep prices low. Any time these companies would have been mandated to take specific actions or implement certain mitigation measures, the free-market would have been disrupted resulting in higher prices of electricity. This session's legislative hearings will examine the current market structure to see what corrective measures are needed.

The Southwestern Electric Power Company (SWEPCO) is a subsidiary of American Electric Power (AEP) and provides electricity to many residents in HD 1. SWEPCO issued the following statement about electric bills and power issues:

"The recent record-breaking cold temperatures will likely lead to higher electric bills for most customers in the coming months. SWEPCO is

working to minimize that impact on customers' bills. Two factors can impact customers' bills – their energy use and the cost of fuel for power plants. Customer base rates have not changed.

"Energy use is measured in kilowatt-hours (kWh). The number of kilowatt-hours a customer used during this cold snap will likely be higher than usual. Customers can compare their February 2021 usage to the same billing period a year ago with information displayed on their bill or by using the SWEPCO app. During this record-breaking cold weather, the fuel costs to generate electricity increased substantially. SWEPCO is working with utility regulators in each state to minimize the impact of fuel costs on customers' bills. The "fuel factor" used to calculate the power generation fuel cost on the bill is adjusted to make sure customers pay only SWEPCO's actual fuel costs. *SWEPCO is prohibited from making a profit on fuel costs.*

"We encourage customers who are struggling to pay electric bills to contact us so we can work together to find a solution. Visit [SWEPCO.com/Assist](https://www.swepcoco.com/Assist), call 1-877-446-7211, or contact us through [Facebook.com/SWEPCO](https://www.facebook.com/SWEPCO) or [Twitter.com/SWEPCOnews](https://twitter.com/SWEPCOnews).

"SWEPCO customers may be concerned about media reports of alarmingly high bills in other parts of Texas. SWEPCO's rates and fuel costs are regulated by the Public Utility Commission of Texas. Those news reports are from deregulated parts of the state."

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Around the Capitol. Statewide massive weather event & its aftermath. No corner of Texas escaped this month's historic snow and freezing weather, and now that the ice and snow have melted, many people are still



hurting and coping with the storm's aftermath. It will unfortunately take time to repair broken pipes, strengthen the power lines and get internet service reconnected. I know many people are still hurting and just trying to survive; my staff have talked with many of you to help navigate mediation efforts at the state and local levels.

Governor Abbott declared a natural disaster across the entire state and submitted a request to the federal government for assistance from the Federal Emergency Management Agency (FEMA). To date, 126 Texas counties have received a federal disaster declaration that qualifies people for additional financial aid to cope with the damage. Bowie County is the only county in House District 1 so far to receive such designation. The Texas Department of Emergency Management (TDEM) encourages county and local officials to submit damage information that can then be submitted to FEMA for additional consideration under the disaster declaration. Local residents are also encouraged to submit information relating to the damage sustained to justify the need for additional disaster declarations so more Texans can receive the necessary financial aid. The governor's office issued the following information this week about the reporting tools available:

"TDEM, with the assistance of the Texas Military Department, launched a call center to

assist Texans, who have limited or no internet access, with completing the State of Texas Assessment Tool (iSTAT). Texans can call 844-844-3089 between 8:00 AM and 8:00 PM seven days a week to submit their disaster damage information. This call center is specifically for Texans who are unable to submit information through online."

Damage information can be submitted on line at <http://damage.tdem.texas.gov> to fill out the iSTAT.

Need help? Here is a list of resources, many provided by Governor Abbott's office that might help as you move forward:

- Governor Abbott and TDLR have issued a temporary waiver to increase the fuel supply in Texas. This waiver permits regulated refineries to [make fuel in compliance with any seasonal specifications](#) and authorizes terminals and retail fuel stations to distribute fuel of any seasonal specification until stocks are depleted.
- Governor Abbott and Texas Department of Housing & Community Affairs have extended the submission deadline for housing tax credit applications [to Monday, March 8 at 5:00 PM CT](#) to allow extra time for housing developers to secure documentation or other communications needed while people were out of service.
- From the Governor's Office of Small Business Assistance: New Federal Disaster Loan Available for Texas Businesses > <https://lnks.gd/2/Pv2XjH>
- From [@TDEM](#): If you are in one of the 128 Texas counties NOT currently declared a

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disaster by the president, please report your damages to [TDEM.Texas.gov/warm](https://www.tdem.texas.gov/warm).

- From [@TDHCA](#): Apply for rent or utility bill assistance through TDHCA's Texas Rent Relief Program. Visit [TexasRentRelief.com](https://www.texasrentrelief.com) or call 1-833-9TX-RENT today.
- Governor Abbott and the Texas State Board of Plumbing Examiners announced the board has identified an additional 500 licensees [who are capable of performing plumbing under general supervision](#).
- From [Texas Economic Development on Facebook](#): Texas Businesses: If you were impacted by the severe winter storms and are located in a declared disaster area, you may be eligible for a low-interest disaster loan from @SBAGov. For more info and how to apply, visit <http://bit.ly/3dFEiPI>
- From [@TexasHHSC](#): 2-1-1 Texas is experiencing higher than normal call volume. Callers may experience a busy signal or longer than usual wait times. We are aware of the problem and are working to restore service as quickly as possible. Learn about benefits and services at [yourtexasbenefits.com](https://www.yourtexasbenefits.com)
- From [@TxDPS](#): As previously announced, the waiver for expired driver's licenses and identification cards officially ends on April 14, 2021. Read more at <http://bit.ly/DL-Expiration-Waiver-PR>
- The Internal Revenue Services (IRS) has delayed the income tax filing deadline from April 15 to June 15 for all Texans.
- The Texas Department of Insurance (TDI) offers tips, at the links below, to renters who lost personal items due to winter storm damage:

[Facebook](#)

[Twitter](#)

[TDI website](#)

- From [@TXAG](#): Following a natural emergency, scam artists may be looking to take advantage of Texans. Don't be fooled, learn how to spot disaster scams by visiting [texasattorneygeneral.gov/consumer-protection/disaster-and-emergency-scams/disaster-scams](https://www.texasattorneygeneral.gov/consumer-protection/disaster-and-emergency-scams/disaster-scams). Do you think you have been scammed? If so, report it to (800) 621-0508 or use the online form: [txoag.force.com/CPDOnlineForm](https://www.txoag.force.com/CPDOnlineForm)
- From [@TexasDFPS](#): #WatchKidsAroundWater even if it is indoors. If you're storing water in buckets, bathtubs, or any other containers, don't leave them alone in those areas of the house. More water safety tips at [getparentingtips.com](https://www.getparentingtips.com)

SNAP benefits extended. The state's Health & Human Services Commission (HHSC) received federal approval from the U.S. Department of Agriculture to extend the maximum, allowable amount of SNAP benefits to recipients based on family size. The emergency March allotments are in addition to the more than \$2.5 billion in benefits previously provided to Texans since April 2020.

Recipients will also continue to receive a 15 percent increase in their total benefits, which will continue monthly until June 2021. This additional 15 percent increase and the emergency allotment amount should appear in recipients' accounts by March 31.

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COVID-19. Last week's historic storm moved stories about COVID-19 off the front-page and from breaking news alerts since shutting down the state and country almost a year ago. Unfortunately, the virus is still with us disrupting our families, lives and businesses. Here are links to COVID-related resources:



Texas DSHS:

<https://www.dshs.texas.gov/coronavirus/immunize/vaccine.aspx>

Vaccine provider information:

<https://tdem.maps.arcgis.com/apps/webappviewer/index.html?id=3700a84845c5470cb0dc3ddace5c376b>

Vaccine hub information:

<https://www.dshs.texas.gov/coronavirus/immunize/vaccine-hubs.aspx>

As of 02/25/2021, Texas has reported 2.63 million cases of the virus and 43,364 deaths. The state's seven-day average, reported by DSHS, is 7,281 new cases. The United States has recorded 28.5 million cases of the infection with over 509,000 deaths in the last year. Vaccines are becoming more available but much remains to be done before we reach "herd immunity" where a significant majority of the population is immune to the virus and the spread of infection declines. Health experts and officials across the country have said as recently as this week that the United States is no where close to achieving herd immunity and mitigation efforts are still needed.

House Committee assignments. I am pleased to announce that again this session I was appointed by the Speaker to the House

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Committee on Appropriations (HAC) and the House Committee on Public Education (Pub Ed). These two substantive committees tackle major issues each session including the general appropriations act setting the state budget for the subsequent biennium.



The state budget is the only piece of legislation constitutionally required to pass each session. I have also been appointed to the HAC's Article III

subcommittee that reviews all expenditures for public education, higher education and the Teacher Retirement System of Texas (TRS). Committee hearings have already begun, and you can follow hearings and bills on Texas Legislature Online at <https://capitol.texas.gov/>.

Texas Legislature 101, Part II. To follow-up on a series begun in last month's enewsletter, here is additional "insider" information about how the legislature operates.

Bills. A bill can come from anywhere. In the case of our office, many of our bills are rooted in local constituent issues. For example, in 2018 a young football player in a small local school district suffered a traumatic brain injury and was forced to remain in a 24-7 care facility for treatment. TEA forced his school to classify him as a dropout, which was damaging to him, his family and the school district's accountability rating. In 2019, I filed HB 331, which added an exemption for students in similar situations, and it was passed into law. The young man is no longer classified as a drop out, and his school is not affected in the accountability system.

If you bring us an idea for a bill, we take your ideas, the contacts for people involved, and the necessary parts of state law, and send it to the Texas Legislative Council ("Lege Council").



There, lawyers prepare official bill drafts through a feedback process with our office and the people who

brought us the idea. Once the draft is complete, we file it as a bill electronically and it is assigned a bill number.

Some offices file dozens of bills, over a 100 in some cases, but they seldom pass even a tenth of this legislation, and for some they only manage to get a handful into law. Our office philosophy is to represent the unique needs of House District 1, and these needs often reflect larger problems caused by a statewide policy. As a result, while we file only a couple dozen or so bills each session, we have a much higher passing rate than other offices (33% in the 2019 session).

After filing, a bill has to be "read and referred." This process commits a bill to a specific committee for it to be heard later during the session in a public hearing with testimony. The



bill "reading and referral" is an introduction on the House floor as its first reading, with its title and a short description called a caption.

Every bill that is filed goes through this first reading and referral process.

Insider: Many people who do not understand the legislative process think that a bill being introduced on the floor of the House is at its final stage of passage out of that Chamber. This is false. This is only the first step. While all bills

are read and referred, many may never even be heard in committee. It is important to look up a bill's progress online to see exactly where it is in the legislative process. Hundreds of bills are never even scheduled for a public hearing after being referred to a committee. After being read and referred to a committee, the bill author's office must request a public hearing for the bill by submitting a set of documents with the committee's clerk, including a letter requesting a hearing, a summary of the bill in layman's terms, information about the background and purpose of the bill, a copy of the bill, and a list of potential witnesses and their contact information. It is then up to the chairman of the committee to set that bill for a public hearing.

Next Time for Texas Legislature 101. In our next newsletter we will include information on hearings, fiscal notes, and what's happening behind the scenes with legislation during the committee process.

Social Media. Please follow me on both my Facebook and Twitter accounts!

My office is here to help. I thank each of you for letting me serve you as your state representative. Please contact either the District office (903-628-0361) or Capitol office (512-463-0692) if there is anything you think we can do to help you.

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