

HOUSE JOURNAL

EIGHTIETH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

EIGHTH DAY — TUESDAY, JANUARY 23, 2007

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 37).

Present — Mr. Speaker; Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Gallego; Garcia; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hill; Hochberg; Hodge; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Krusee; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Miles; Miller; Morrison; Mowery; Murphy; Naishtat; Noriega; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smith, W.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Absent, Excused — Elkins; Merritt; Oliveira.

Absent — Cook, R.; Frost; Homer; Moreno; Pickett.

The invocation was offered by Michael Barrera, pastor, United Baptist Church of Laredo, as follows:

Dear benevolent Father, we are a grateful people today and we thank you for bringing us so far since 1836 . . . "we the people of the Republic of Texas, acknowledging with gratitude, the grace and beneficence of God," also recognize the price that has been paid for freedom whether at the Alamo or in Iraq. We humble ourselves today to pause, praise you, and recognize the importance of each and every fellow citizen, the sanctity of human life, and the joy of shared citizenship as benevolent people of the world and of the United States of America. We appreciate and do not take for granted the freedom we have that so many seek after through the privilege of citizenship. We pray for all people, regardless of whether they are friend or foe. We resist the building of walls that

separate but encourage the building of bridges to the outcast, the immigrant, the single parent, the children, the aged, the poor, and any who are in a dire situation due to oppression, greed, intolerance, prejudice, or violence.

Religious freedom is a cherished right that many people of the world will never enjoy as we do, but Lord we will hope together for the oppressed of the world. In our Lone Star State, we are not alone at all for the "Eyes of Texas" are as diverse as Scarface and Billy Graham. Within our diversity, O Lord, comes part of our strength as family whom we give thanks for. Just as is written, "The lamb will lay down with the lion" so it is in Texas that we have Aggies working with the Longhorns. Miracles are still happening today! We understand, dear Lord, the goals that we set must be beyond what seems possible so we have two work together and unashamedly confess a living God in a free society. We recognize, Lord, we as a people are approaching a duration of time that no society before has accomplished because of self-destruction or outside intervention. If we make it, O Lord, to these uncharted waters where no society has gone before, it will be simply because we have remained humble and cared for all, regardless of race, religion, ethnicity, or political preference. Help us to not forget the poor and acknowledge the one living God.

Give us, O God, the courage to go where no civilization has gone before because of your principles and concern for justice, mercy, and love for all. For we too "have a dream," and we have left some behind but we want to be a transparent people that corrects the errors of our ways. We recognize, O Lord, Hollywood heroes are often not the real heroes as much as the unknown soldier, the responsible parent, and the Rosa Parks of the world that we so desperately need today.

So we say to God be the glory, and to man we say thank you. We appreciate you, O God, for allowing us to be the stewards of what you have so beautifully created. For I pray in the name of Jesus Christ. Amen.

The speaker recognized Representative Raymond who led the house in the pledges of allegiance to the United States and Texas flags.

CAPITOL PHYSICIAN

The speaker recognized Representative Kolkhorst who presented Dr. Henry Boehm of Brenham as the "Doctor for the Day."

The house welcomed Dr. Boehm and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

(R. Cook now present)

(Hamilton in the chair)

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence for today and tomorrow because of important business in the district:

Merritt on motion of T. Smith.

The following member was granted leave of absence for today and the remainder of the week because of illness:

Oliveira on motion of Raymond.

The following member was granted leave of absence for today because of important business:

Elkins on motion of Kuempel.

HR 82 - ADOPTED
(by Pitts)

Representative Pitts moved to suspend all necessary rules to take up and consider at this time **HR 82**.

The motion prevailed.

The following resolution was laid before the house:

HR 82, Welcoming Leadership Ennis to the State Capitol.

HR 82 was read and was adopted.

(Frost now present)

HCR 37 - ADOPTED
(by Driver)

Representative Driver moved to suspend all necessary rules to take up and consider at this time **HCR 37**.

The motion prevailed.

The following resolution was laid before the house:

HCR 37, Honoring Mark R. Warren for his service as president of the Texas Association of Insurance and Financial Advisors.

(S. King in the chair)

HCR 37 was read and was adopted.

HR 94 - ADOPTED
(by Farabee)

Representative Farabee moved to suspend all necessary rules to take up and consider at this time **HR 94**.

The motion prevailed.

The following resolution was laid before the house:

HR 94, Welcoming members of the Texas Association of Insurance and Financial Advisors to the State Capitol and commemorating the organization's 82nd anniversary.

HR 94 was read and was adopted.

(Hancock in the chair)

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of family business:

Strama on motion of Farabee.

HCR 38 - ADOPTED

(by J. Davis)

Representative Rose moved to suspend all necessary rules to take up and consider at this time **HCR 38**.

The motion prevailed.

The following resolution was laid before the house:

HCR 38, Granting permission to the YMCA Youth and Government Program to use the legislative chambers and other Capitol Complex facilities.

HCR 38 was read and was adopted.

HR 100 - ADOPTED

(by Bonnen)

Representative Bonnen moved to suspend all necessary rules to take up and consider at this time **HR 100**.

The motion prevailed.

The following resolution was laid before the house:

HR 100, Honoring Emma Womack on being named Philanthropist of the Year by the Community Foundation of Brazoria County.

HR 100 was adopted.

HR 93 - ADOPTED

(by Raymond)

Representative Raymond moved to suspend all necessary rules to take up and consider at this time **HR 93**.

The motion prevailed.

The following resolution was laid before the house:

HR 93, Commemorating the 2007 Washington's Birthday Celebration in Laredo.

HR 93 was read and was adopted.

On motion of Representative Guillen, the names of all the members of the house were added to **HR 93** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Raymond who introduced a delegation from the Washington's Birthday Celebration Association of Laredo.

(Pickett now present)

HOUSE AT EASE

At 10:50 a.m., the chair announced that the house would stand at ease.

The speaker called the house to order at 11:34 a.m.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for today because of important business in the district:

Homer on motion of Farabee.

**HR 96 - ADOPTED
(by Gallego)**

Representative Gallego moved to suspend all necessary rules to take up and consider at this time **HR 96**.

The motion prevailed.

The following resolution was laid before the house:

HR 96, In memory of Mary G. Cruz of San Antonio.

HR 96 was read and was unanimously adopted by a rising vote.

On motion of Representative McClendon, the names of all the members of the house were added to **HR 96** as signers thereof.

**HR 55 - ADOPTED
(by Gallego)**

Representative Gallego moved to suspend all necessary rules to take up and consider at this time **HR 55**.

The motion prevailed.

The following resolution was laid before the house:

HR 55, In memory of Aleena Virginia Jimenez of San Antonio.

HR 55 was read and was unanimously adopted by a rising vote.

On motion of Representative McClendon, the names of all the members of the house were added to **HR 55** as signers thereof.

**HR 99 - ADOPTED
(by Gallego)**

Representative Gallego moved to suspend all necessary rules to take up and consider at this time **HR 99**.

The motion prevailed.

The following resolution was laid before the house:

HR 99, In memory of the Honorable Frank Madla of San Antonio.

HR 99 was read and was unanimously adopted by a rising vote.

On motion of Representative McClendon, the names of all the members of the house were added to **HR 99** as signers thereof.

INTRODUCTION OF GUESTS

The speaker recognized Representative Gallego who introduced Helen Madla, Dr. Frank Madla III, Nenette Madla, Marci Madla, Michelle Madla LaCourse, Ralph Madla, Mary Anne Cruz, Hope McAnulty, Brandon Brigance, Taylor LaCourse, Jeanell LaCourse, Cody LaCourse, Toni Barcellona, Melissa de la Garza, Mike de la Garza, Maceala de la Garza, and McKenzie de la Garza.

HOUSE AT EASE

At 11:54 a.m., the speaker announced that the house would stand at ease pending the departure of guests.

The speaker called the house to order at 11:59 a.m.

ADJOURNMENT

Representatives Gallego, Lucio, Castro, Martinez Fischer, McClendon, Menendez, Straus, Villarreal, Farias, and Leibowitz moved that the house adjourn until 10 a.m. tomorrow in memory of the Honorable Frank Madla.

The motion prevailed.

The house accordingly, at 11:59 a.m., adjourned until 10 a.m. tomorrow.