

HOUSE JOURNAL

EIGHTY-FIRST LEGISLATURE, REGULAR SESSION

PROCEEDINGS

NINTH DAY — MONDAY, FEBRUARY 2, 2009

The house met at 2 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 15).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson; Aycock; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Brown, F.; Button; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook; Crabb; Craddick; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Elkins; England; Farabee; Farias; Farrar; Fletcher; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Guillen; Hamilton; Hancock; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hilderbran; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Hunter; Isett; Jackson; Jones; Keffer; Kent; King, P.; King, S.; King, T.; Kleinschmidt; Kolkhorst; Kuempel; Laubenberg; Legler; Leibowitz; Lewis; Lucio; Madden; Maldonado; Mallory Caraway; Marquez; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miklos; Miller, D.; Miller, S.; Moody; Morrison; Naishtat; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Quintanilla; Raymond; Riddle; Rios Ybarra; Ritter; Rodriguez; Rose; Sheffield; Shelton; Smith, T.; Smith, W.; Smithee; Strama; Swinford; Taylor; Thibaut; Thompson; Truitt; Turner, C.; Turner, S.; Veasey; Villarreal; Vo; Walle; Weber; Woolley; Zerwas.

Absent, Excused — Corte; Gutierrez; Solomons; Vaught.

Absent — Burnam; Eissler.

The invocation was offered by Van Houser, senior pastor, North Side Baptist Church, Weatherford, as follows:

Our Father which art in heaven, hallowed be thy name. We bow in humility before you our God. You are the architect of creation and the eternal source of all life and salvation. We enter your presence through the name of your son, Jesus Christ, our Savior and Lord.

Thy kingdom come. Thy will be done in earth, as it is in heaven. Lord, your word says that "Your thoughts are not our thoughts and your ways are not our ways." We have, in many ways, complicated our lives with our own sinful and selfish thoughts and reason. We pray, as the great Solomon prayed, for the greatest of all gifts—wisdom; wisdom for this legislature and also for our

president and our national leaders during these difficult days. Let us hear your voice clearly that we may know your will and discover your kingdom's peace on earth.

Give us this day our daily bread. Father, you have been so gracious to provide for us in abundance. These in this place have the very difficult task of helping those in need. May we who seek to help the poor and needy recognize that all of the handouts we can give are never as beneficial as a hand up. O God, I know that it is not government that people should depend on to answer their problems and supply their needs, but you and your grace.

And forgive us our debts, as we forgive our debtors. It is forgiveness, O God, that has enabled us to have a relationship with you; and it is forgiveness which will enable us to maintain our relationships with each other. Teach us to guard our rhetoric and respect every person as your creation. May the only song of color we sing be "red, brown, yellow, black, and white, they are precious in his sight." May our ears seek to hear respectful discourse of our diverse views. Give us a sincere desire to reach unity with each other gained only by seeking and walking in your will.

And lead us not into temptation, but deliver us from evil. These who are before me have been given the trust of their constituents to protect them from the evils of this world. May they honor that trust. We see the precious children whose eyes look up for someone to deliver them from the evil of family abuse. We witness the weaknesses of individuals seeking wealth through gambling, seeking power through threats and killing, or seeking escape from responsibility through alcohol and drugs. We need protection from our own weaknesses, that we would not think too highly of ourselves or forget the ones we serve or our God who has allowed us to serve. As Christ has taught us, may we learn greatness through service to you and others.

For thine is the kingdom, and the power, and the glory, for ever. And so, our Father, remind us again that you have ordained the powers of this earth to rise and fall. We recognize that you are the author of both history and eternity. Yet, we boldly ask your blessing on our nation and our state that our people and all the peoples of the world would know that our God is the great and mighty God. Father, protect the men and women who protect and serve us around the world and in our cities. Give them victory over tyranny and terror. We honor their sacrifice and the sacrifice of their families. Again, I ask that you would give great wisdom, vision, and courage to these gathered in this place today. In the name of Christ, I pray. Amen.

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

CAPITOL PHYSICIAN

The speaker recognized Representative Swinford who presented Dr. Gregory Johnson of Amarillo as the "Doctor for the Day."

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

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for today because of important business in the district:

Corte on motion of Deshotel.

Gutierrez on motion of Deshotel.

Solomons on motion of Deshotel.

The following member was granted leave of absence for today because of illness in the family:

Vaught on motion of Deshotel.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 2 and Senate List No. 2).

(Callegari in the chair)

(Burnam now present)

INTRODUCTION OF GUEST

The chair recognized Representative B. Brown who introduced Dr. Glendon Forgey, president of Trinity Valley Community College.

(Speaker in the chair)

HR 233 - ADOPTED

(by Gonzales)

Representative Gonzales moved to suspend all necessary rules to take up and consider at this time **HR 233**.

The motion prevailed.

The following resolution was laid before the house:

HR 233, Recognizing February 2 through 6, 2009, as International Networking Week and commending the McAllen and other South Texas chapters of Business Network International.

HR 233 was adopted.

HR 240 - ADOPTED

(by Y. Davis)

Representative Y. Davis moved to suspend all necessary rules to take up and consider at this time **HR 240**.

The motion prevailed.

The following resolution was laid before the house:

HR 240, Honoring the Interdenominational Ministerial Alliance of Greater Dallas on the occasion of the 44th annual C. A. W. Clark Human Relations Banquet on February 6, 2009.

HR 240 was adopted.

HR 221 - ADOPTED
(by Castro)

Representative Castro moved to suspend all necessary rules to take up and consider at this time **HR 221**.

The motion prevailed.

The following resolution was laid before the house:

HR 221, Honoring the American Council of Young Political Leaders and welcoming its delegates from Argentina and Uruguay to the State Capitol on February 2, 2009.

HR 221 was adopted.

HR 150 - ADOPTED
(by Ortiz)

Representative Ortiz moved to suspend all necessary rules to take up and consider at this time **HR 150**.

The motion prevailed.

The following resolution was laid before the house:

HR 150, Recognizing January 31, 2009, as Catholic School Chess Day in Corpus Christi.

HR 150 was adopted.

HR 196 - ADOPTED
(by Paxton)

Representative Paxton moved to suspend all necessary rules to take up and consider at this time **HR 196**.

The motion prevailed.

The following resolution was laid before the house:

HR 196, Commemorating the 25th anniversary of the founding of the Samaritan Inn in Collin County.

HR 196 was adopted.

(Eissler now present)

HR 68 - ADOPTED
(by Hochberg)

Representative Hochberg moved to suspend all necessary rules to take up and consider at this time **HR 68**.

The motion prevailed.

The following resolution was laid before the house:

HR 68, Recognizing Rushan Gao for his victories at the Huntsman World Senior Games.

HR 68 was read and was adopted.

**HR 246 - ADOPTED
(by Eissler)**

Representative Eissler moved to suspend all necessary rules to take up and consider at this time **HR 246**.

The motion prevailed.

The following resolution was laid before the house:

HR 246, In memory of Midshipman Frederick Henry Eissler of West Chester, Pennsylvania.

HR 246 was read and was unanimously adopted by a rising vote.

On motion of Representatives McClendon and Taylor, the names of all the members of the house were added to **HR 246** as signers thereof.

ADJOURNMENT

Representative Martinez moved that the house adjourn until 10 a.m. tomorrow in memory of Maria Gloria Brum of Portugal.

The motion prevailed.

The house accordingly, at 2:41 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

House List No. 2

HCR 20

Senate List No. 2

SCR 6

APPENDIX

ENROLLED

January 29 - HCR 20

