

HOUSE JOURNAL

EIGHTY-FOURTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

TENTH DAY — TUESDAY, FEBRUARY 3, 2015

The house met at 10:02 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 25).

Present — Mr. Speaker; Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Aycock; Bell; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Collier; Cook; Craddick; Crownover; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farias; Farney; Farrar; Fletcher; Flynn; Frank; Frullo; Galindo; Geren; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Harless; Hernandez; Herrero; Howard; Huberty; Hughes; Hunter; Isaac; Israel; Johnson; Kacal; Keffer; Keough; King, K.; King, P.; King, S.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Márquez; Martinez; McClendon; Metcalf; Meyer; Miles; Miller, D.; Miller, R.; Moody; Morrison; Muñoz; Murr; Naishtat; Nevárez; Oliveira; Otto; Paddie; Parker; Paul; Peña; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Riddle; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Shaheen; Sheets; Sheffield; Simmons; Simpson; Smith; Smithee; Spitzer; Springer; Stephenson; Stickland; Thompson, E.; Thompson, S.; Tinderholt; Turner, C.; Turner, E.S.; Turner, S.; VanDeaver; Villalba; Vo; Walle; White, J.; White, M.; Workman; Wray; Wu; Zedler; Zerwas.

Absent, Excused — Coleman; Martinez Fischer; Menéndez.

Absent — Murphy.

The speaker recognized Representative Romero who introduced Reverend Charles Foster Johnson, executive director, Pastors for Texas Children, Fort Worth, who offered the invocation as follows:

Dear God, we thank you for this day, for the opportunities to live and learn and serve that you give us today. May we all be faithful stewards of these opportunities. "This is the day that the Lord has made. We will rejoice and be glad in it."

Accept our thanks for the men and women in this great chamber who represent the interests of your people, perhaps more intimately than other branches of our government. May they be mindful today that their masters are the people of Texas and that they are the people's servants. These members have sacrificed much to do this service: hard work at long hours and low pay,

separation from family and livelihood, and, in our cruel political culture, distortion of their record, and slander of their character. We are grateful for their sacrifice. Today, let them be mindful that they represent all the people of their districts, especially your precious "least of these": the poor, the elderly, the infirm, the children. May these representatives advocate for the well-being of those who will never call them, never visit their office, never make a campaign contribution, and never have anyone advancing their interests but them. Let every one of us in this room today act and speak not to our basest human fears and paranoias, but rather, as one of our great leaders said, "to the better angels of our nature."

Be with the men and women of our armed forces wherever they are serving throughout this global village. May a sense of your goodness and grace befall them. And may we all contribute our energies toward that glad and glorious day when the great vision of your prophets will come to pass: "swords beaten into plowshares, spears into pruning hooks"—that is, instruments of destruction turned into implements of productivity—"and we study war no more." For it is in your name that we pray. Amen.

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

LEAVES OF ABSENCE GRANTED

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

Martinez Fischer on motion of Nevárez.

Menéndez on motion of Button.

CAPITOL PHYSICIAN

The speaker recognized Representative Howard who presented Dr. John Egerton and Dr. Judith Egerton of Austin as the "Doctors for the Day."

The house welcomed Drs. Egerton and thanked them for their participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

(Keough in the chair)

INTRODUCTION OF GUEST

The chair recognized Representative Lucio who introduced Jeanne Brown of the Remember Alex Brown Foundation.

LEAVE OF ABSENCE GRANTED

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

Isaac on motion of P. King.

HR 300 - ADOPTED
(by Darby)

Representative Darby moved to suspend all necessary rules to take up and consider at this time **HR 300**.

The motion prevailed.

The following resolution was laid before the house:

HR 300, Recognizing February 3, 2015, as Workforce Day at the State Capitol.

HR 300 was read and was adopted.

On motion of Representative Moody, the names of all the members of the house were added to **HR 300** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Darby who introduced members of the Texas Association of Workforce Boards.

LEAVE OF ABSENCE GRANTED

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

McClendon on motion of S. Thompson.

HR 251 - ADOPTED
(by S. King)

Representative S. King moved to suspend all necessary rules to take up and consider at this time **HR 251**.

The motion prevailed.

The following resolution was laid before the house:

HR 251, Welcoming the Sweetwater Jaycees to the State Capitol for their Rattlesnake Roundup.

HR 251 was adopted.

(Speaker in the chair)

HR 273 - ADOPTED
(by Giddings)

Representative Giddings moved to suspend all necessary rules to take up and consider at this time **HR 273**.

The motion prevailed.

The following resolution was laid before the house:

HR 273, In memory of Ruby Mae Turner of Houston.

HR 273 was read and was unanimously adopted by a rising vote.

On motion of Representatives S. Thompson, Y. Davis, and Kuempel, the names of all the members of the house were added to **HR 273** as signers thereof.

HR 273 - REMARKS

REPRESENTATIVE GIDDINGS: Members, perhaps the glue that really holds the friendship that Sylvester and I share together is based on our mothers and their similarities. Our mothers were born in the same month and on the same day. And his mother was born in 1924 and died in 2014, and my mother was born in 1923 and died in 2013. So our mothers had a lot of similarities.

We lost, in this state, a treasure when we lost Mrs. Turner. In her early life, she didn't have a lot of advantages or a lot of opportunities, but she used that as her inspiration to make sure that her children had the opportunities that they needed to succeed in life.

And so she was mother to a state representative, and to a couple of RNs, and to a minister, and other people who served this community. And so she touched her children, and they touched others, and her touch spread throughout Houston and farther. She left a legacy of hard work, of determination, of principle, of character, of integrity, and love, and we shall all miss, in this state, Ruby Mae Turner.

REPRESENTATIVE S. TURNER: Thank you Mr. Speaker and certainly to Representative Giddings and to all of you, thank you very, very, very much. I'm not going to say a whole lot except that my mama was a strong woman of faith. Reared nine kids. She and my dad did an awesome, awesome job in rearing all nine of their kids. Neither one of them graduated from high school, as many of you know, but their commitment to education was very, very strong. They left a lasting legacy for all of their kids, their grandchildren, their great-great grandchildren: a strong and good name. They didn't leave large life insurance policies or anything like that, didn't leave a lot of money in the bank, didn't leave big homes, things of that nature. But they left a good name, and they left a strong legacy upon which all of their kids are standing. So we have been very, very blessed, very blessed.

There's never the right moment to lose a parent. Quite frankly, there's never the right moment to lose a loved one. But when you know where someone is, that person is not lost, and if you live your life similar to what they lived, and if you stand on your faith, the good news for many of us is we see them again. And so it got to the point after my mom suffered for a number of years with Alzheimer's, and even after being placed in hospice for six years—and the Lord graced us with six more years—what do you do and say when you get to that moment and you've done all you can do and the Lord says, "I'll take her from here"? So in that sense, all of us, her children, her grandchildren, her great-great grandchildren, we are very, very blessed. And now the question for us is: Where do we go from here? And we certainly have work to do. My dad ran his race, my mom ran her race, they both finished their course and so we are pleased and satisfied with God with that.

I'll last say this. Representative Giddings talked about when we were redoing my mom's house. We offered to ask my mom to come stay with us, with one of her children. She said no. We said we'll purchase you another house. She said no because she's always been in the same house that my daddy purchased in 1954, 3005 Stallings. That was her home, that's where all nine of her kids were raised, and she said it was good enough for rearing all her kids. That's where she was going to stay, and she simply demanded that we come back to 3005 Stallings, even after we left the house. So we decided since she wasn't going to move, wouldn't allow us to buy another one, we would redo the house that she was in. She just said that was fine on one condition, "I'm not leaving my house." So we elected—we had to do it in phases because when the contractor finished one side she would move to the other side, and then when we finished with that side she would move on the other side. And then it got to the point when she said that they had been in her house long enough. And she called me at my law firm and said, "Sylvester, come on, we need to get these people out of my house. If they stay here too much longer, they're going to be stealing, so it's time for them to go."

But that was my mom, fiercely, fiercely, fiercely independent, fiercely independent. If you did anything for her, she wanted to pay you for it. I mean, that was her. And so in her final days of dealing with Alzheimer's there were two things that she held on to. One was an old hymn, "This Little Light of Mine." That was her song. She remembered that even with what she was going through. And then the final thing that was left was her own name. You asked her, you know, "Lady, what's your name?" She would say, "Ruby Mae Turner"—she would say the whole name. That was just her. So I've been blessed, all of my brothers and sisters have been blessed. I thank all of you for taking this moment to honor my mom. I asked representative—told [inaudible], you know, I don't know if I want to do this. He said, "Do it, you know, not just for you, but for your mom's grandchildren and great-great grandchildren." So I thank all of you. Mr. Speaker, I thank you and members of the Texas House, I thank you for your support, for your prayers, and just for being there. I appreciate it. Thank you.

REMARKS ORDERED PRINTED

Representative Bell moved to print all remarks on **HR 273**.

The motion prevailed.

(Keough in the chair)

HR 282 - ADOPTED

(by Otto, Faircloth, Deshotel, J. White, and Phelan)

Representative Otto moved to suspend all necessary rules to take up and consider at this time **HR 282**.

The motion prevailed.

The following resolution was laid before the house:

HR 282, Recognizing February 3, 2015, as Leadership Southeast Texas Day at the State Capitol.

HR 282 was read and was adopted.

On motion of Representative Deshotel, the names of all the members of the house were added to **HR 282** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Otto who introduced members of Leadership Southeast Texas.

HR 316 - ADOPTED (by Blanco)

Representative Blanco moved to suspend all necessary rules to take up and consider at this time **HR 316**.

The motion prevailed.

The following resolution was laid before the house:

HR 316, Commemorating the Texas Tech University Health Sciences Center Gayle Greve Hunt School of Nursing ribbon-cutting ceremony.

HR 316 was adopted.

On motion of Representatives Moody and González, the names of all the members of the house were added to **HR 316** as signers thereof.

HR 216 - ADOPTED (by Nevárez)

Representative Nevárez moved to suspend all necessary rules to take up and consider at this time **HR 216**.

The motion prevailed.

The following resolution was laid before the house:

HR 216, Recognizing February 3, 2015, as Big Bend Telephone Day at the State Capitol.

HR 216 was read and was adopted.

INTRODUCTION OF GUESTS

The chair recognized Representative Nevárez who introduced representatives of Big Bend Telephone Company.

HR 257 - ADOPTED (by Naishtat)

Representative Naishtat moved to suspend all necessary rules to take up and consider at this time **HR 257**.

The motion prevailed.

The following resolution was laid before the house:

HR 257, Recognizing February 3, 2015, as Music Therapy Day in Texas.

HR 257 was adopted.

HR 254 - ADOPTED**(by T. King, C. Anderson, Nevárez, K. King, and Springer)**

Representative T. King moved to suspend all necessary rules to take up and consider at this time **HR 254**.

The motion prevailed.

The following resolution was laid before the house:

HR 254, Recognizing February 3, 2015, as Rural Matters Day in Texas.

HR 254 was adopted.

On motion of Representative Springer, the names of all the members of the house were added to **HR 254** as signers thereof.

HR 248 - ADOPTED**(by Alonzo)**

Representative Alonzo moved to suspend all necessary rules to take up and consider at this time **HR 248**.

The motion prevailed.

The following resolution was laid before the house:

HR 248, Recognizing February 2-8, 2015, as Chicano History Week.

HR 248 was adopted.

On motion of Representative Canales, the names of all the members of the house were added to **HR 248** as signers thereof.

HR 272 - ADOPTED**(by Bell)**

Representative Bell moved to suspend all necessary rules to take up and consider at this time **HR 272**.

The motion prevailed.

The following resolution was laid before the house:

HR 272, Recognizing February 3, 2015, as Waller County Day at the State Capitol.

HR 272 was adopted.

HR 229 - ADOPTED**(by Wray and Spitzer)**

Representative Wray moved to suspend all necessary rules to take up and consider at this time **HR 229**.

The motion prevailed.

The following resolution was laid before the house:

HR 229, Recognizing February 3, 2015, as Cedar Creek Lake Area Day at the State Capitol.

HR 229 was read and was adopted.

On motion of Representatives Spitzer and Bell, the names of all the members of the house were added to **HR 229** as signers thereof.

INTRODUCTION OF GUESTS

The chair recognized Representative Wray who introduced a delegation from the Cedar Creek Lake area.

ADJOURNMENT

Representatives Hunter, Keough, Bell, Metcalf, Clardy, and Giddings moved that the house adjourn until 10 a.m. tomorrow in memory of Oliver Rumley of Corpus Christi; Catherine Breeding of Shenandoah; Dr. George Hugman III of Nacogdoches; and Ruby Mae Turner of Houston, mother of Representative S. Turner.

The motion prevailed.

The house accordingly, at 11:23 a.m., adjourned until 10 a.m. tomorrow.