

# HOUSE JOURNAL

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EIGHTIETH LEGISLATURE, REGULAR SESSION

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## PROCEEDINGS

SECOND DAY — WEDNESDAY, JANUARY 10, 2007

The house met at 9 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 6).

Present — Mr. Speaker; Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Burnam; Callegari; Castro; Chavez; Chisum; Christian; Cohen; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Davis, Y.; Delisi; Deshotel; Driver; Dukes; Dunnam; Dutton; Eiland; Eissler; Elkins; England; Escobar; Farabee; Farias; Farrar; Flores; Flynn; Frost; 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; Homer; 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; Merritt; Miles; Miller; Moreno; Morrison; Mowery; Murphy; Naishtat; Noriega; Oliveira; Olivo; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rodriguez; Rose; Smith, T.; Smithee; Solomons; Strama; Straus; Swinford; Talton; Taylor; Thompson; Truitt; Turner; Van Arsdale; Vaught; Veasey; Villarreal; Vo; West; Woolley; Zedler; Zerwas.

Absent, Excused — Smith, W.

Absent — Brown, F.

The invocation was offered by Reverend Bob Scott, St. Austin Catholic Parish, Austin, as follows:

As we begin the business of the 80th Regular Session we do not offer a pious prayer of generalities. We ask God to bless the assembly with a spirit of reconciliation and productivity.

In the difficulties of the moment, we know it is a time for patience, kindness, and healing. We pray that the legislature moves ahead with a positive outlook with respect for all persons. Bless the re-elected speaker in his duties to lead with fairness and charity and the members to accomplish substantial goals in this session.

God bless the State of Texas and its citizens. Amen.

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

### LEAVE OF ABSENCE GRANTED

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

W. Smith on motion of Anderson.

### REGULAR ORDER OF BUSINESS SUSPENDED

On motion of Representative Escobar and by unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

(Van Arsdale in the chair)

### HR 39 - ADOPTED (by Chisum)

The following resolution was laid before the house:

**HR 39**, In memory of former Texas Speaker Bill W. Clayton of Springlake.

**HR 39** was read and was unanimously adopted by a rising vote.

On motion of Representative Jones, the names of all the members of the house were added to **HR 39** as signers thereof.

(Speaker in the chair)

### MOTION TO SET RESOLUTIONS

Representative Solomons moved to set the house rules and housekeeping resolutions for 9 a.m. Friday, January 12.

A record vote was requested.

The motion prevailed by (Record 7): 125 Yeas, 3 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Anchia; Anderson; Aycock; Bailey; Berman; Bohac; Bolton; Bonnen; Branch; Brown, B.; Callegari; Chavez; Chisum; Christian; Cohen; Cook, B.; Cook, R.; Corte; Crabb; Creighton; Crownover; Darby; Davis, J.; Delisi; Deshotel; Dukes; Dutton; Eiland; Eissler; Elkins; England; Farabee; Farias; Farrar; Flores; Flynn; Frost; Gallego; Gattis; Geren; Giddings; Gonzales; Gonzalez Toureilles; Goolsby; Guillen; Haggerty; Hamilton; Hardcastle; Harless; Harper-Brown; Hartnett; Heflin; Hernandez; Herrero; Hochberg; Hodge; Homer; Hopson; Howard, C.; Howard, D.; Hughes; Isett; Jackson; Jones; Keffer; King, P.; King, S.; King, T.; Kolkhorst; Kuempel; Latham; Laubenberg; Leibowitz; Lucio; Macias; Madden; Mallory Caraway; Martinez; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Merritt; Miles; Miller; Morrison; Mowery; Murphy; Oliveira; Orr; Ortiz; Otto; Parker; Patrick; Paxton; Peña; Phillips; Pickett; Pierson; Pitts; Puente; Quintanilla; Raymond; Riddle; Ritter; Rose; Smith, T.; Solomons; Strama; Straus; Swinford; Talton; Truitt; Turner; Van Arsdale; Vaught; Veasey; Vo; West; Woolley; Zedler; Zerwas.

Nays — Burnam; Hilderbran; Thompson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Smith, W.

Absent — Brown, F.; Castro; Coleman; Davis, Y.; Driver; Dunnam; Escobar; Garcia; Hancock; Hill; Krusee; Moreno; Naishtat; Noriega; Olivo; Rodriguez; Smithee; Taylor; Villarreal.

### STATEMENTS OF VOTE

When Record No. 7 was taken, I was in the house but away from my desk. I would have voted yes.

Garcia

When Record No. 7 was taken, my vote failed to register. I would have voted yes.

Hancock

When Record No. 7 was taken, I was in the house but away from my desk. I would have voted yes.

Noriega

When Record No. 7 was taken, I was in the house but away from my desk. I would have voted yes.

Taylor

### LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today to attend a funeral:

Jones on motion of B. Cook.

### HR 38 - ADOPTED (by Herrero)

The following resolution was laid before the house:

**HR 38**, Commemorating the grand opening of the Richard M. Borchard Regional Fairgrounds in Robstown.

**HR 38** was read and was adopted.

On motion of Representative Martinez, the names of all the members of the house were added to **HR 38** as signers thereof.

### SCR 6 - ADOPTED (Krusee - House Sponsor)

The following resolution was laid before the house:

**SCR 6**, Providing for procedures for the canvass of votes for the governor and lieutenant governor and the inauguration of the governor and lieutenant governor.

**SCR 6** was adopted.

**COMMITTEES APPOINTED**

The speaker announced the appointment of the following inaugural committee: Representatives C. Howard, chair; Crabb, Miller, Berman, and Branch.

The speaker announced the appointment of the following committee to canvass the votes cast for governor and lieutenant governor: Representatives Krusee, chair; Puente, Quintanilla, Hopson, Creighton, and Harless.

(Keffer in the chair)

**LEAVE OF ABSENCE GRANTED**

The following member was granted leave of absence for the remainder of today to attend a funeral:

Elkins on motion of Merritt.

(Speaker in the chair)

**STATEMENT BY SPEAKER REGARDING  
LEGISLATIVE BUDGET BOARD APPOINTMENTS**

Mr. John O'Brien  
Deputy Director  
Legislative Budget Board  
P.O. Box 12666  
Austin, Texas 78711-2666

Dear Mr. O'Brien:

Pursuant to House Rules and Texas Government Code Chapter 322.001 for the purpose of the meeting of the Legislative Budget Board on January 11, 2007, I designate the extension of the members previously appointed and who were serving on December 31, 2006, to the Legislative Budget Board.

These appointments will be valid for the purposes of this Legislative Budget Board meeting and will expire at the adjournment of the January 11, 2007, meeting.

Sincerely,

TOM CRADDICK  
Speaker

**ADJOURNMENT**

Representative Chisum moved that the house adjourn until 10 a.m. tomorrow in memory of The Honorable Billy Clayton, former speaker of the Texas House of Representatives.

The motion prevailed.

The house accordingly, at 9:59 a.m., adjourned until 10 a.m. tomorrow.